

FY 2001 Fee Recovery

FINAL RULE

10 CFR 170 and 171

Workpapers

NRC Budgeted Costs (FY 2001)

Part 171 Annual Fees

- Operating Power Reactor Fees
- Spent Fuel Storage/Reactor Decommissioning Fees
- Nonpower Reactor Fees
- Fuel Facilities Fees
- Uranium Recovery Fees
- Rare Earth Facility Fees
- Transportation Fees
- Materials Annual Fees

Part 170 Fees

- Licensing Fees
- Export and Import Fees
- Reciprocity Fees--Agreement State Licensees
- General License Registration Fees

Determination of Hourly Rate

Estimated Collections

Regulatory Flexibility Analysis

Small Entity Compliance Guide

Budget Authority (FY 2001)

OBRA-90, as amended

Court Decision 1993

Part 171 Annual Fees  
FY 2001  
(\$ in Millions)

\$487.3	NRC Budget Authority
-21.6	Appropriated from Nuclear Waste Fund
<u>-3.2</u>	Appropriated from General Fund
\$462.5	
<u>X.98</u>	Fee Recovery Rate for FY 2001
\$453.3	Total Amount to be Recovered For FY 2001
<u>-3.1</u>	Carryover from FY 2000
\$450.2	Amount to be Recovered Through Fees and Other Receipts
<u>-118.2</u>	Estimated amount to be recovered through Part 170 fees and other receipts
\$332.0	Estimated amount to be recovered through Part 171 annual fees
<u>-.4</u>	Part 171 billing adjustments
\$331.6	Adjusted Part 171 annual fee collections required

FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9
NUCLEAR MATERIALS SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79
NUCLEAR WASTE SAFETY	15,193	206	0	0	9,106	91	0	0	655	4	529	10	366	10	65	1	17	0	0	0	3,763	32
INTERNAT'L NUCLEAR SAFETY & SUPPORT	623	32	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	157	20	
MANAGEMENT AND SUPPORT	84,159	614	101	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	2	
INSPECTOR GENERAL	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3

FY 2001 FEE AMOUNTS	320.1	37.3	0.4	21.5	21.5	4.7	0.8112	3.9	0.371	52.0
LESS PART 170 FEES	96.8	9.1	0.1	6.5	0.4	1.3	0.8080	2.8	0.371	
	=	=	=	=	=	=	=	=	=	
PART 171 ANNUAL FEES	223.3	28.2	0.3	15.0	21.1	3.4	0.0	1.1	(0.0)	
% OF BUDGET (EXCL. SURCHARGE, OTHER APPL. & SMALL ENTITY)	79.13%	9.23%	0.09%	5.31%	3.92%	1.15%	0.20%	0.96%	N/A	
Surcharge (Including small entity)	38.16388	4.3	0.0	2.6	2.1	0.5	0.1	0.4	N/A	
Part 171 billing adjustments	(2.8)	(0.3)	(0.0)	(0.2)	(0.1)	(0.0)	(0.0)	(0.03)	N/A	
TOTAL FY 2001 ANNUAL FEE	258.7	32.2	0.3	17.4	23.1	3.9	0.0896	1.5	(0.0)	

FTE RATES

REACTOR PROGRAM = 266,997

MATERIALS PROGRAM = 255,563

SURCHARGE= 308,362

\$,M

SMALL ENTITY SUBSIDY = 5.6

Total Surcharge (Reflects 2% off the fee base) 48.3

TOTAL PART 171 BILLING ADJUSTMENTS

\$,K

Est. Unpaid FY 2001 Part 171 Bills 3.20

Est. Payments From Prior Year Part 171 Bills (3.65)

Adjustment for add'l FY 2000 collections (3.10)

Total (3.55)

**OPERATING POWER REACTOR  
ANNUAL FEE - FY 2001 FINAL RULE**

NUMBER OF LICENSED OPERATING POWER REACTORS

Westinghouse	48
General Electric	35
Combustion Engineering	14
Babcock & Wilcox	<u>7</u>
TOTAL REACTORS	104

DETERMINATION OF ANNUAL FEE:

TOTAL BUDGETED COSTS FOR OPERATING POWER REACTORS (INCLUDES SURCHARGE)	\$258,686,327
ANNUAL FEE PER REACTOR (rounded) (BUDGETED COSTS DIVIDED BY 104 OPERATING POWER REACTORS)	\$2,487,000
PLUS SPENT FUEL STORAGE/ REACTOR DECOMMISSIONING ANNUAL FEE	\$266,000
TOTAL ANNUAL FEE PER LICENSE	<hr/> \$2,753,000

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS

## SURCHARGE - FY 2001

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT
	\$,K	FTE	(\$,M)
<b>TOTAL NRC</b>			
FEDERAL AGENCY EXEMPTION	315	12	3.9
NONPROFIT EDUCATIONAL EXEMPTION	1,405	22	8.1
INTERNATIONAL ACTIVITIES	157	19	6.0
SMALL ENTITY SUBSIDY	0	0	5.6
AGREEMENT STATE OVERSIGHT	349	22	7.1
REGULATORY SUPPORT TO AGREEMENT STATES	2,136	40	14.4
SDMP	2,995	14	7.3
DECOMMISSIONING/RECLAMATION GENERIC	891	8	3.4
LLW GENERIC	154	5	1.7
<b>TOTAL</b>	<b>8,402</b>	<b>141.3</b>	<b>57.6</b>

To meet the 98% fee recovery requirement for FY 2001, the Surcharge is reduced by 2% of NRC's FY 2001 budget authority, minus the NWF and the General Fund, as shown below:

	(\$,M)
Total Surcharge amount less generic LLW (see note)	55.9
Budget Authority minus NWF & Gen Fund	462.5
Percent reduction in fee recovery amount for FY 2001	2.0%
Reduction in annual fee recovery amount for FY 2001	9.3
Surcharge, excluding LLW, less reduction in annual fee recovery amount	46.6
Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

DISTRIBUTION OF SURCHARGE COSTS					
LLW SURCHARGE		NON-LLW SURCHARGE		TOTAL SURCHARGE	
PERCENT	\$,M	PERCENT	\$,M	\$,M	
POWER REACTORS	74%	79.1%	36.9	38.2	
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	9.2%	4.3	4.3	
NON-POWER REACTORS	---	0.1%	0.0	0.0	
FUEL FACILITIES	8%	5.3%	2.5	2.6	
MATERIALS	18%	3.9%	1.8	2.1	
TRANSPORTATION	---	1.2%	0.5	0.5	
RARE EARTH FACILITIES	---	0.2%	0.1	0.1	
URANIUM RECOVERY	---	1.0%	0.4	0.4	
<b>TOTAL</b>	<b>100</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>	

SEE BUDGET AUTHORITY TAB  
FOR BUDGETED SURCHARGE COSTS



**FY 2001 DIRECT RESOURCES**[illegible]

**SPENT FUEL STORAGE/REACTOR DECOMMISSIONING  
ANNUAL FEE  
FY 2001**

LICENSES SUBJECT TO THE ANNUAL FEE:

Operating Power Reactor Licensees

104

Power Reactors in Decommissioning or Possession Only Status with Fuel Onsite

<u>Reactor</u>	<u>Docket No.</u>
Big Rock Point	50-155
Indian Point, Unit 1	50-003
Dresden, Unit 1	50-010
Haddam Neck	50-213
Humboldt	50-133
La Crosse	50-409
Maine Yankee	50-309
Millstone 1	50-245
Rancho Seco	50-312
San Onofre, Unit 1	50-206
Trojan	50-344
Yankee Rowe	50-029
Zion 1	50-295
Zion 2	50-304

Total No. of Reactors in decommissioning or possession only status  
with fuel onsite: 14

Part 72 Licensees without a Part 50 License

Ft. St. Vrain	72-009
GE Morris	72-001
Department of Energy, Idaho Ops. Office	72-020

Total Part 72 licenses: 3

**DETERMINATION OF THE FY 2001 ANNUAL FEE:**

The FY 2001 annual fee is determined by dividing the total budgeted costs of \$32,205,954 (including the surcharge) by the total number of licensees (121). This results in an annual fee (rounded) of \$266,000 per license.

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS

## SURCHARGE - FY 2001

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT (\$,M)
	\$,K	FTE	
<b>TOTAL NRC</b>			
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Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

DISTRIBUTION OF SURCHARGE COSTS					
LLW SURCHARGE			NON-LLW SURCHARGE		TOTAL SURCHARGE
PERCENT	PERCENT	\$,M	PERCENT	\$,M	\$,M
POWER REACTORS	74%	1.3	79.1%	36.9	38.2
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	---	9.2%	4.3	4.3
NON-POWER REACTORS	---	---	0.1%	0.0	0.0
FUEL FACILITIES	8%	0.1	5.3%	2.5	2.6
MATERIALS	18%	0.3	3.9%	1.8	2.1
TRANSPORTATION	---	---	1.2%	0.5	0.5
RARE EARTH FACILITIES	---	---	0.2%	0.1	0.1
URANIUM RECOVERY	---	---	1.0%	0.4	0.4
<b>TOTAL</b>	<b>100</b>	<b>1.7</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>

SEE BUDGET AUTHORITY TAB  
FOR BUDGETED SURCHARGE COSTS

FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9
NUCLEAR MATERIALS SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79
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INSPECTOR GENERAL	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3

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	=	=	=	=	=	=	=	=	=	
PART 171 ANNUAL FEES	223.3	28.2	0.3	15.0	21.1	3.4	0.0	1.1	(0.0)	
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TOTAL FY 2001 ANNUAL FEE	258.7	32.2	0.3	17.4	23.1	3.9	0.0896	1.5	(0.0)	

FTE RATES

REACTOR PROGRAM = 266,997

MATERIALS PROGRAM = 255,563

SURCHARGE= 308,362

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SMALL ENTITY SUBSIDY = 5.6

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TOTAL PART 171 BILLING ADJUSTMENTS

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Est. Unpaid FY 2001 Part 171 Bills 3.20

Est. Payments From Prior Year Part 171 Bills (3.65)

Adjustment for add'l FY 2000 collections (3.10)

Total (3.55)

## NONPOWER REACTOR ANNUAL FEE

### FY 2001 FEE RULE

#### DETERMINATION OF THE FY 2001 ANNUAL FEE:

#### NONPOWER REACTORS SUBJECT TO ANNUAL FEES<sup>1</sup>

1. Dow Chemical - TRIGA MARK I	R-108	50-264
2. AEROTEST	R-98	50-228
3. GE, NTR	R-33	50-73
4. NIST	TR-5	50-184

#### DETERMINATION OF ANNUAL FEE

BUDGETED COSTS                      \$296,000

ANNUAL FEE PER LICENSE              \$74,000

(Budgeted costs divided by number  
of nonpower reactor licensees subject  
to annual fee)

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<sup>1</sup>Does not include License R-38 (TRIGA MARK I), Docket No. 50-89, issued to General Atomics. License R-38 was amended in 1997 to authorize possession only.

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS



FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
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PART 171 ANNUAL FEES		=		=		=		=		=		=		=		=		=		
		223.3		28.2		0.3		15.0		21.1		3.4		0.0		1.1		(0.0)		
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TOTAL FY 2001 ANNUAL FEE		258.7		32.2		0.3		17.4		23.1		3.9		0.0896		1.5		(0.0)		

FTE RATES  
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Total Surcharge (Reflects 2% off the fee base) 48.3

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Est. Payments From Prior Year Part 171 Bills (3.65)  
Adjustment for add'l FY 2000 collections (3.10)  
Total (3.55)

**FUEL FACILITY ANNUAL FEES**  
**FY 2001**

Part 171 Amount      \$14,981,220  
Less Billing Adjustment    (188,505)  
**TOTAL      \$14,792,715**

	<u>SAFETY</u>	<u>SAFEGUARDS</u>	<u>TOTAL</u>	<u>SURCHARGE</u>	<u>TOTAL ANNUAL FEE</u>
Allocation of Part 171 Amount to Safety/Safeguards	\$9,813,704	\$4,979,012	\$14,792,715	\$2,612,774	\$17,405,490

**EFFORT FACTORS**

<u>FEE CATEGORY</u>	<u>NUMBER OF LICENSES</u>	<u>Safety</u>	<u>%</u>	<u>Safeguards</u>	<u>%</u>	<u>Total</u>	<u>%</u>
1A(1)(a) SSNM (HEU)	2	91	33.5%	76	55.1%	167	40.7%
1E ENRICHMENT	2	70	25.7%	34	24.6%	104	25.4%
1A(1)(b) SNM (LEU)	4	85	31.3%	23	16.7%	108	26.3%
1A(2)(a) LIMITED OPERATIONS	1	8	2.9%	3	2.2%	11	2.7%
2A(1) UF6 CONVERSION	1	12	4.4%	0	0.0%	12	2.9%
1A(2)(b) OTHER (b)	1	6	2.2%	2	1.4%	8	2.0%
	=====	=====		=====		=====	
<b>TOTAL</b>	<b>11</b>	<b>272</b>	<b>100.0%</b>	<b>138</b>	<b>100%</b>	<b>410</b>	<b>100%</b>
		<b>66.3%</b>		<b>33.7%</b>			

% of total

1/Reflects cessation of certain activities and downgrade request filed by Westinghouse (SNM-33) prior to 3/31/01

**ALLOCATION to CATEGORY**

<u>Fee Category</u>	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>	<u>(4)</u>	<u>(5)</u> <u>TOTAL ANNUAL FEE PER LICENSE</u>	<u>FY 2001 Annual Fee Rounded</u>
1A(1)(a) SSNM (HEU)	2	\$3,283,261	\$2,742,064	\$6,025,326	\$1,064,228	\$3,544,777
1E ENRICHMENT	2	2,525,586	1,226,713	3,752,299	\$662,752	\$2,207,525
1A(1)(b) SNM (LEU)	4	3,066,782	829,835	3,896,618	\$688,243	\$1,146,215
1A(2)(a) LIMITED OPERATIONS	1	288,638	108,239	396,878	\$70,099	\$466,977
2A(1) UF6 CONVERSION	1	432,958	0	432,958	\$76,471	\$509,429
1A(2)(b) OTHER (b)	1	216,479	72,160	288,638	\$50,981	\$339,619
	=====	=====	=====	=====	=====	
<b>TOTAL</b>	<b>11</b>	<b>\$9,813,704</b>	<b>\$4,979,012</b>	<b>\$14,792,715</b>	<b>\$2,612,774</b>	<b>\$3,545,000</b>

Cols 1 and 2=budgeted amounts x percent of total effort factor

Col 3 = Col 1 + Col 2

Col 4 = Total surcharge x percent of total effort factor

Col 5 = Col 3 + Col 4 / number of licensees

**NRC Fuel Cycle Regulatory Program  
Effort/Fee Determination**

CATEGORY	LICENSEE	PROCESS																				
		Solid UF6/Metal		Enrichmnt		Liquid UF6		HEU Dwn Blend		Convrnsn/ Powder		Pellet		Rod/ Bundle		Scrap/ Waste		Hot Cell		Effort Factor		
		S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	S	SG	Total
SSNM	BWX Tech (SNM-42)	10	10	0	0	0	0	10	10	5	5	10	5	5	5	10	5	1	1	51	41	92
	NFS (SNM-124)	5	5	0	0	0	0	5	5	10	10	10	5	0	0	10	10	0	0	40	35	75
ENRICHMENT	USEC Paducah (GDP-1)	10	1	10	10	10	1	0	0	0	0	0	0	0	0	5	5	0	0	35	17	52
	USEC Portsmouth (GDP-2)	10	1	10	10	10	1	0	0	0	0	0	0	0	0	5	5	0	0	35	17	52
SNM	Westinghouse Electric Co. LLC (SNM-33)	0	0	0	0	0	0	0	0	5	1	5	1	1	1	5	1	0	0	16	4	20
	Global Nuclear (SNM-1097)	5	1	0	0	1	1	0	0	5	1	5	1	1	1	5	1	0	0	22	6	28
	Framatome ANP Richland (SNM-1227)	5	1	0	0	1	1	0	0	5	1	5	1	1	1	5	1	0	0	22	6	28
	Westinghouse (SNM-1107)	5	1	0	0	1	1	0	0	5	1	5	1	1	1	5	1	0	0	22	6	28
Other (a)	Framatome ANP Lynchburg (SNM-1168)	0	0	0	0	0	0	0	0	1	0	5	1	1	1	1	1	0	0	8	3	11
	Honeywell (SUB-526)	5	0	0	0	5	0	0	0	1	0	0	0	0	0	1	0	0	0	12	0	12
Other (b)	GE Vallecitos (SNM-960)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	1	1	1	6	2	8

269 137 406

S = Safety  
SG = Safeguards

Regulatory Effort Scale:

High = 10  
Moderate = 5  
Low = 1  
None = 0

1) Prorated for FY2001 Final Fee Rule to 19 for Safety and 5 for Safeguards (24 Total), based on March 2001 notification that the licensee permanently ceased certain licensed activities prior to March 31, 2001.

25-May-01

FY 2001  
FUEL FACILITY LICENSES

<u>FEE CATEGORY</u>	<u>FACILITY</u>	<u>DOCKET #</u>	<u>LICENSE #</u>
<u>1A(1)a</u>	<u>Strategic Special Nuclear Material</u>		
	1. BWX Technologies	70-27	SNM-42
	2. Nuclear Fuel Services	70-143	SNM-124
<u>1A(1)(b)</u>	<u>Low Enriched Uranium For Power Reactor Fuel Fabrication</u>		
	1. Westinghouse Electric LLC	70-36	SNM-33
	2. Global Nuclear Fuel - Americas, LLC	70-1113	SNM-1097
	3. Framatome ANP Richland	70-1257	SNM-1227
	4. Westinghouse Electric - Columbia	70-1151	SNM-1107
<u>1A(2)a</u>	<u>Facilities with Limited Operations</u>		
	1. Framatome Cogema Fuels	70-1201	SNM-1168
<u>1A(2)b</u>	<u>Other</u>		
	1. General Electric - Vallecitos	70-754	SNM-960
<u>1E</u>	<u>Uranium Enrichment Facility</u>		
	1. United States Enrichment Corporation	70-7001	GDP-1
	2. United States Enrichment Corporation	70-7002	GDP-2
<u>2A(1)</u>	<u>UF6</u>		
	1. Honeywell International	40-3392	SUB-526

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS

## SURCHARGE - FY 2001

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT
	\$,K	FTE	(\$,M)
<b>TOTAL NRC</b>			
FEDERAL AGENCY EXEMPTION	315	12	3.9
NONPROFIT EDUCATIONAL EXEMPTION	1,405	22	8.1
INTERNATIONAL ACTIVITIES	157	19	6.0
SMALL ENTITY SUBSIDY	0	0	5.6
AGREEMENT STATE OVERSIGHT	349	22	7.1
REGULATORY SUPPORT TO AGREEMENT STATES	2,136	40	14.4
SDMP	2,995	14	7.3
DECOMMISSIONING/RECLAMATION GENERIC	891	8	3.4
LLW GENERIC	154	5	1.7
<b>TOTAL</b>	<b>8,402</b>	<b>141.3</b>	<b>57.6</b>

To meet the 98% fee recovery requirement for FY 2001, the Surcharge is reduced by 2% of NRC's FY 2001 budget authority, minus the NWF and the General Fund, as shown below:

	(\$,M)
Total Surcharge amount less generic LLW (see note)	55.9
Budget Authority minus NWF & Gen Fund	462.5
Percent reduction in fee recovery amount for FY 2001	2.0%
Reduction in annual fee recovery amount for FY 2001	9.3
Surcharge, excluding LLW, less reduction in annual fee recovery amount	46.6
Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

DISTRIBUTION OF SURCHARGE COSTS					
LLW SURCHARGE			NON-LLW SURCHARGE		TOTAL SURCHARGE
PERCENT	\$,M		PERCENT	\$,M	\$,M
POWER REACTORS	74%	1.3	79.1%	36.9	38.2
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	---	9.2%	4.3	4.3
NON-POWER REACTORS	---	---	0.1%	0.0	0.0
FUEL FACILITIES	8%	0.1	5.3%	2.5	2.6
MATERIALS	18%	0.3	3.9%	1.8	2.1
TRANSPORTATION	---	---	1.2%	0.5	0.5
RARE EARTH FACILITIES	---	---	0.2%	0.1	0.1
URANIUM RECOVERY	---	---	1.0%	0.4	0.4
<b>TOTAL</b>	<b>100</b>	<b>1.7</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>

**SEE BUDGET AUTHORITY TAB**  
**FOR BUDGETED SURCHARGE COSTS**

FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9
NUCLEAR MATERIALS SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79
NUCLEAR WASTE SAFETY	15,193	206	0	0	9,106	91	0	0	655	4	529	10	366	10	65	1	17	0	0	0	3,763	32
INTERNAT'L NUCLEAR SAFETY & SUPPORT	623	32	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	157	20
MANAGEMENT AND SUPPORT	84,159	614	101	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	2
INSPECTOR GENERAL	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3

FY 2001 FEE AMOUNTS	320.1	37.3	0.4	21.5	21.5	4.7	0.8112	3.9	0.371	52.0
LESS PART 170 FEES	96.8	9.1	0.1	6.5	0.4	1.3	0.8080	2.8	0.371	
PART 171 ANNUAL FEES	=	=	=	=	=	=	=	=	=	
	223.3	28.2	0.3	15.0	21.1	3.4	0.0	1.1	(0.0)	
% OF BUDGET (EXCL. SURCHARGE, OTHER APPL. & SMALL ENTITY)	79.13%	9.23%	0.09%	5.31%	3.92%	1.15%	0.20%	0.96%	N/A	
Surcharge (including small entity)	38.16388	4.3	0.0	2.6	2.1	0.5	0.1	0.4	N/A	
Part 171 billing adjustments	(2.8)	(0.3)	(0.0)	(0.2)	(0.1)	(0.0)	(0.0)	(0.03)	N/A	
TOTAL FY 2001 ANNUAL FEE	258.7	32.2	0.3	17.4	23.1	3.9	0.0896	1.5	(0.0)	

FTE RATES	
REACTOR PROGRAM =	266,997
MATERIALS PROGRAM =	255,563
SURCHARGE=	308,362
\$,M	
SMALL ENTITY SUBSIDY =	5.6
Total Surcharge (Reflects 2% off the fee base)	48.3
\$,K	
TOTAL PART 171 BILLING ADJUSTMENTS	
Est. Unpaid FY 2001 Part 171 Bills	3.20
Est. Payments From Prior Year Part 171 Bills	(3.65)
Adjustment for add'l FY 2000 collections	(3.10)
=====	
Total	(3.55)



**URANIUM RECOVERY ANNUAL FEES  
FY 2001**

FY 2001 TOTAL ANNUAL FEE AMOUNT EXCLUDING SURCHARGE:	<b>TOTAL</b> \$1,067,666
TOTAL URANIUM RECOVERY SURCHARGE:	<u>449,723</u>
TOTAL	<b>\$1,517,388</b>

Fee Category	FTE	FTE Rate	Total	% of Total Annual Fee Amount	Surcharge	TOTAL DOE UMTRCA \$653,780	FY 2001 DOE UMTRCA Fee Rounded \$654,000
18.B. DOE UMTRCA Amount (exc. surcharge):	1.8	\$255,563	\$460,013	43%	\$193,767		
			=====				
REMAINDER URANIUM RECOVERY (exc. surcharge):			\$607,652	57%	\$255,955	TOTAL OTHER \$863,608	
						<b>TOTAL \$1,517,388</b>	

Fee Category	(1) Number of Licenses	(2) Category Weight	(4) Total Weight Value	(5) Percent	Total base annual fee	(6) Base	(7) Surcharge	(8) Total	FY 2001 Annual Fee Rounded
						<u>Annual Fee Per License</u>			
2.A.(2)(a) <u>Conventional Mill</u> Operational/Standby	3	770	2310	33%	\$199,032	\$66,344	\$27,946	\$94,290	\$94,300
2.A.(2)(b) <u>Solution Mining</u> Operational/Standby	6.5 1/	645	4193	59%	\$361,231	\$55,574	\$23,409	\$78,983	\$79,000
2.A.(3) <u>11e.2 Waste Disposal</u> Disposal Facilities	1	475	475	7%	\$40,927	\$40,927	\$17,239	\$58,166	\$58,200
2.A.(4) Disposal at POL Sites	1	75	75	1%	\$6,462	\$6,462	\$2,722	\$9,184	\$9,200
	=====	=====	=====	=====	=====				
TOTAL	11.5	1965	7053	100%	\$607,652				

1/Reflects 50% proration for Cogema (SUA-1341) based on 11/10/2000 request for a possession only license.

Col. 5= Col. 4 x Remainder Uranium Recovery Annual Fee Amount  
Col. 6= Col. 5 /Number of licensees  
Col. 7= Remainder Uranium Recovery Surcharge Amount x Col. 4/Number of licensees  
Col. 8= Col. 6 + Col. 7

FY 2001  
URANIUM RECOVERY LICENSEES

<u>FEE CATEGORY</u>		<u>DOCKET</u>	<u>LICENSE</u>
	<u>Mills - Program Code 11100</u>		
2A(2) Class I	1. Kennecott Uranium	40-8584	SUA-1350
	2. International Uranium	40-8681	SUA-1358
	3. Plateau Resources	40-8698	SUA-1371
	<u>In-Situ Solution Mining -- Program Code 11500</u>		
2A(2) Class II	1. Crow Butte	40-8943	SUA-1534
	2. Pathfinder	40-8981	SUA-1540
	3. Cogema Mining	40-8502	SUA-1341
	4. Rio Algom	40-8964	SUA-1548
	5. Power Resources	40-8857	SUA-1511
	6. Quivira Mining	40-8905	SUA-1473
	7. Hydro Resources	40-8968	SUA-1580
2A(2)b	<u>Other - Rare Earth</u>		
	1. Fansteel	40-7580	SMB-911
	2. Cabot	40-6940	SMB-920
	3. Shieldalloy	40-7102	SMB-743
	<u>Decommissioning - Rare Earth</u>		
	1. Cabot	40-9027	SMC-1562
	2. Heritage	40-8980	SMB-1541
	3. Molycorp	40-8778	SMB-1393
	4. Molycorp	40-8794	SMB-1408
	5. Whittaker	40-7455	SMA-1018
	<u>Disposal 11e (2) Material-New Tailings Pile</u>		
2A(3)	1. Envirocare	40-8989	SMC-1559
2A(4)	<u>Disposal 11e. (2) Material-Existing Tailings Pile</u>		
	1. Pathfinder	40-6622	SUA-442

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS

## SURCHARGE - FY 2001

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT (\$,M)
	\$,K	FTE	
<b>TOTAL NRC</b>			
FEDERAL AGENCY EXEMPTION	315	12	3.9
NONPROFIT EDUCATIONAL EXEMPTION	1,405	22	8.1
INTERNATIONAL ACTIVITIES	157	19	6.0
SMALL ENTITY SUBSIDY	0	0	5.6
AGREEMENT STATE OVERSIGHT	349	22	7.1
REGULATORY SUPPORT TO AGREEMENT STATES	2,136	40	14.4
SDMP	2,995	14	7.3
DECOMMISSIONING/RECLAMATION GENERIC	891	8	3.4
LLW GENERIC	154	5	1.7
<b>TOTAL</b>	<b>8,402</b>	<b>141.3</b>	<b>57.6</b>

To meet the 98% fee recovery requirement for FY 2001, the Surcharge is reduced by 2% of NRC's FY 2001 budget authority, minus the NWF and the General Fund, as shown below:

	(\$,M)
Total Surcharge amount less generic LLW (see note)	55.9
Budget Authority minus NWF & Gen Fund	462.5
Percent reduction in fee recovery amount for FY 2001	2.0%
Reduction in annual fee recovery amount for FY 2001	9.3
Surcharge, excluding LLW, less reduction in annual fee recovery amount	46.6
Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

## DISTRIBUTION OF SURCHARGE COSTS

	LLW SURCHARGE		NON-LLW SURCHARGE		TOTAL SURCHARGE
	PERCENT	\$,M	PERCENT	\$,M	\$,M
POWER REACTORS	74%	1.3	79.1%	36.9	38.2
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	---	9.2%	4.3	4.3
NON-POWER REACTORS	---	---	0.1%	0.0	0.0
FUEL FACILITIES	8%	0.1	5.3%	2.5	2.6
MATERIALS	18%	0.3	3.9%	1.8	2.1
TRANSPORTATION	---	---	1.2%	0.5	0.5
RARE EARTH FACILITIES	---	---	0.2%	0.1	0.1
URANIUM RECOVERY	---	---	1.0%	0.4	0.4
<b>TOTAL</b>	<b>100</b>	<b>1.7</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>

SEE BUDGET AUTHORITY TAB  
FOR BUDGETED SURCHARGE COSTS

FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9
NUCLEAR MATERIALS SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79
NUCLEAR WASTE SAFETY	15,193	206	0	0	9,106	91	0	0	655	4	529	10	366	10	65	1	17	0	0	0	3,763	32
INTERNAT'L NUCLEAR SAFETY & SUPPORT	623	32	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	157	20
MANAGEMENT AND SUPPORT	84,159	614	101	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	2
INSPECTOR GENERAL	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3
=====																						

FY 2001 FEE AMOUNTS		320.1		37.3		0.4		21.5		21.5		4.7		0.8112		3.9		0.371		52.0
LESS PART 170 FEES		96.8		9.1		0.1		6.5		0.4		1.3		0.8080		2.8		0.371		
PART 171 ANNUAL FEES		=		=		=		=		=		=		=		=		=		
		223.3		28.2		0.3		15.0		21.1		3.4		0.0		1.1		(0.0)		
% OF BUDGET (EXCL. SURCHARGE, OTHER APPL. & SMALL ENTITY)		79.13%		9.23%		0.09%		5.31%		3.92%		1.15%		0.20%		0.96%		N/A		
Surcharge (including small entity)		38.16388		4.3		0.0		2.6		2.1		0.5		0.1		0.4		N/A		
Part 171 billing adjustments		(2.8)		(0.3)		(0.0)		(0.2)		(0.1)		(0.0)		(0.0)		(0.03)		N/A		
TOTAL FY 2001 ANNUAL FEE		258.7		32.2		0.3		17.4		23.1		3.9		0.0896		1.5		(0.0)		

FTE RATES	
REACTOR PROGRAM =	266,997
MATERIALS PROGRAM =	255,563
SURCHARGE=	308,362
	\$,M
SMALL ENTITY SUBSIDY =	5.6
Total Surcharge (Reflects 2% off the fee base)	48.3
TOTAL PART 171 BILLING ADJUSTMENTS	\$,K
Est. Unpaid FY 2001 Part 171 Bills	3.20
Est. Payments From Prior Year Part 171 Bills	(3.65)
Adjustment for add'l FY 2000 collections	(3.10)
=====	
Total	(3.55)

**Rare Earth Licenses  
FY 2001 Fee Rule**

Fee Category

§171.16(d), Category 2.A. (2), Other Facilities

<u>Name</u>	<u>Docket Number</u>	<u>License Number</u>
1. Fansteel	40-7580	SMB-911
2. Cabot	40-6940	SMB-920
3. Shieldalloy	40-7102	SMB-743

DETERMINATION OF THE FY 2001 ANNUAL FEE:

TOTAL BUDGETED COSTS	\$89,600
----------------------	----------

ANNUAL FEE PER LICENSE	\$29,900
------------------------	----------

(Total budgeted costs divided by  
the number of licensees subject to  
the annual fee)

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS



**SURCHARGE - FY 2001**

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT
	,\$K	FTE	(\$,M)
<b>TOTAL NRC</b>			
FEDERAL AGENCY EXEMPTION	315	12	3.9
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SDMP	2,995	14	7.3
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LLW GENERIC	154	5	1.7
<b>TOTAL</b>	<b>8,402</b>	<b>141.3</b>	<b>57.6</b>

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Surcharge, excluding LLW, less reduction in annual fee recovery amount	46.6
Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

**DISTRIBUTION OF SURCHARGE COSTS**

	LLW SURCHARGE		NON-LLW SURCHARGE		TOTAL SURCHARGE
	PERCENT	,\$M	PERCENT	,\$M	,\$M
POWER REACTORS	74%	1.3	79.1%	36.9	38.2
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	---	9.2%	4.3	4.3
NON-POWER REACTORS	---	---	0.1%	0.0	0.0
FUEL FACILITIES	8%	0.1	5.3%	2.5	2.6
MATERIALS	18%	0.3	3.9%	1.8	2.1
TRANSPORTATION	---	---	1.2%	0.5	0.5
RARE EARTH FACILITIES	---	---	0.2%	0.1	0.1
URANIUM RECOVERY	---	---	1.0%	0.4	0.4
<b>TOTAL</b>	<b>100</b>	<b>1.7</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>

SEE BUDGET AUTHORITY TAB  
FOR BUDGETED SURCHARGE COSTS

FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE		
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	
NUCLEAR REACTOR SAFETY	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9	
NUCLEAR MATERIALS SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79	
NUCLEAR WASTE SAFETY	15,193	206	0	0	9,106	91	0	0	655	4	529	10	366	10	65	1	17	0	0	0	3,763	32	
INTERNAT'L NUCLEAR SAFETY & SUPPORT	623	32	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	157	20		
MANAGEMENT AND SUPPORT	84,159	614	101	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	2		
INSPECTOR GENERAL	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3	

# TRANSPORTATION ANNUAL FEES

Materials Rate:

\$255,563

FY 2001

Fee Category

18.A. The total transportation budgeted costs of \$3,861,939 to be recovered from annual fees is to be obtained from two sources:

1. Department of Energy (DOE)
2. Other Part 71 licensees

The costs are allocated to the two groups in proportion to the number of Certificates of Compliance they hold. DOE holds 39 of the 136 Certificates of Compliance (28.7%). Therefore,

Total Amount	\$3,861,939	<b>FY2001 Annual</b>
x percentage	28.68%	<b>Fee Rounded</b>
<b>Total DOE annual Fee =</b>	<b>\$1,107,468</b>	<b>\$1,107,000</b>

Total annual fee for other	
Part 71 licensees=	\$3,861,939
Less DOE	<u>1,107,000</u>
	\$2,754,939

The annual fee for other Part 71 licensees is assessed to package users, designers and fabricators who hold approved quality assurance plans. QA Plan annual fees are based on whether the plan is for design, fabrication and use (user and fabricator), or for use only, and the proportion is the same as the staff resources for QA activities.

From FY 2001 Budget:

Fee Category		FTE	PS\$	Total	% of total
	Quality Assurance Reviews	0.5	0.00	\$127,782	26.32%
	QA Inspections	1.4	0.00	<u>\$357,788</u>	<u>73.68%</u>
10.B.2	<b>Total</b>	1.9	0.0	\$485,570	100.00%

No. of QA plans for use	83
No. of QA plans for design, fabrication, and use	<u>36</u>
<b>Total</b>	<b>119</b>

Fee for QA's for use only:

10.B.1			FY 2001 Annual Fee	FY 2001 Annual Fee Rounded
	Fee = Total amount	\$2,754,939		
	x percentage	<u>0.26</u>		
		\$724,984 /119 licensees=	\$6,092	<b>\$6,100</b>

Fee for QA's for design, fabrication and use:

			FY 2001 Annual Fee	FY 2001 Annual Fee Rounded
	Fee = Total amount	\$2,754,939		
	x percentage	0.74		
		\$2,029,955 /36 licensees=	\$56,388	
		+Use only fee	<u>6,092</u>	
			\$62,480	<b>\$62,500</b>

**From:** Eloise Ziegler  
**To:** Glenda Jackson  
**Date:** Tue, Nov 14, 2000 1:57 PM  
**Subject:** Re: RE: Transportation C.o.C.s

Glenda:

As of November 14, 2000, the total number of Part 71 Certificates of Compliance is 136. Of the total number of CoCs, 39 are for DOE.

>>> Glenda Jackson 11/09 10:24 AM >>>  
Eloise,

For FY 2001 fee calculations, I need to know the total number of Part 71 Certificates of Compliance, and how many of those are for DOE. NOTE: For FY 2000, you indicated there were 135 total, and 37 of those were for DOE. I would like to have the information by 11/14 if possible. Please send your response to Bob Carlson (RDC) as well as to me. Thanks.

**CC:** Robert Carlson

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS

**SURCHARGE - FY 2001**

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT
	\$,K	FTE	(\$,M)
<b>TOTAL NRC</b>			
FEDERAL AGENCY EXEMPTION	315	12	3.9
NONPROFIT EDUCATIONAL EXEMPTION	1,405	22	8.1
INTERNATIONAL ACTIVITIES	157	19	6.0
SMALL ENTITY SUBSIDY	0	0	5.6
AGREEMENT STATE OVERSIGHT	349	22	7.1
REGULATORY SUPPORT TO AGREEMENT STATES	2,136	40	14.4
SDMP	2,995	14	7.3
DECOMMISSIONING/RECLAMATION GENERIC	891	8	3.4
LLW GENERIC	154	5	1.7
<b>TOTAL</b>	<b>8,402</b>	<b>141.3</b>	<b>57.6</b>

To meet the 98% fee recovery requirement for FY 2001, the Surcharge is reduced by 2% of NRC's FY 2001 budget authority, minus the NWF and the General Fund, as shown below:

	(\$,M)
Total Surcharge amount less generic LLW (see note)	55.9
Budget Authority minus NWF & Gen Fund	462.5
Percent reduction in fee recovery amount for FY 2001	2.0%
Reduction in annual fee recovery amount for FY 2001	9.3
Surcharge, excluding LLW, less reduction in annual fee recovery amount	46.6
Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

**DISTRIBUTION OF SURCHARGE COSTS**

	LLW SURCHARGE		NON-LLW SURCHARGE		TOTAL SURCHARGE
	PERCENT	\$,M	PERCENT	\$,M	\$,M
POWER REACTORS	74%	1.3	79.1%	36.9	38.2
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	---	9.2%	4.3	4.3
NON-POWER REACTORS	---	---	0.1%	0.0	0.0
FUEL FACILITIES	8%	0.1	5.3%	2.5	2.6
MATERIALS	18%	0.3	3.9%	1.8	2.1
TRANSPORTATION	---	---	1.2%	0.5	0.5
RARE EARTH FACILITIES	---	---	0.2%	0.1	0.1
URANIUM RECOVERY	---	---	1.0%	0.4	0.4
<b>TOTAL</b>	<b>100</b>	<b>1.7</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>

SEE BUDGET AUTHORITY TAB  
FOR BUDGETED SURCHARGE COSTS



FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9
NUCLEAR REACTOR SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79
NUCLEAR MATERIALS SAFETY	15,193	206	0	0	9,106	91	0	0	655	4	529	10	366	10	65	1	17	0	0	0	3,763	32
NUCLEAR WASTE SAFETY	623	32	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	157	20	
INTERNAT'L NUCLEAR SAFETY & SUPPORT	84,159	614	101	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	2	
MANAGEMENT AND SUPPORT	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
INSPECTOR GENERAL																						
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3

FY 2001 FEE AMOUNTS	320.1	37.3	0.4	21.5	21.5	4.7	0.8112	3.9	0.371	52.0
LESS PART 170 FEES	96.8	9.1	0.1	6.5	0.4	1.3	0.8080	2.8	0.371	
PART 171 ANNUAL FEES	223.3	28.2	0.3	15.0	21.1	3.4	0.0	1.1	(0.0)	
% OF BUDGET (EXCL. SURCHARGE, OTHER APPL. & SMALL ENTITY)	79.13%	9.23%	0.09%	5.31%	3.92%	1.15%	0.20%	0.96%	N/A	
Surcharge (Including small entity)	38.16388	4.3	0.0	2.6	2.1	0.5	0.1	0.4	N/A	
Part 171 billing adjustments	(2.8)	(0.3)	(0.0)	(0.2)	(0.1)	(0.0)	(0.0)	(0.03)	N/A	
TOTAL FY 2001 ANNUAL FEE	258.7	32.2	0.3	17.4	23.1	3.9	0.0896	1.5	(0.0)	

FTE RATES	
REACTOR PROGRAM =	266,997
MATERIALS PROGRAM =	255,563
SURCHARGE=	308,362
\$,M	
SMALL ENTITY SUBSIDY =	5.8
Total Surcharge (Reflects 2% off the fee base)	48.3
\$,K	
TOTAL PART 171 BILLING ADJUSTMENTS	
Est. Unpaid FY 2001 Part 171 Bills	3.20
Est. Payments From Prior Year Part 171 Bills	(3.65)
Adjustment for add'l FY 2000 collections	(3.10)
=====	
Total	(3.55)

CALCULATION OF ANNUAL FEES BY CATEGORY  
FY 2001

Sheet 5- Fee calc/ category  
REBASELINE

License Fee Category	NUMBER OF LICENSES FY 2001																			FY 2001 Annual Fee (Rounded)	
	Billed at FY 2000 Fee	Billed at FY 2001 Fee	Total For FY 2001	Part 170 Fees(\$)					Part 171 Base Fee Per License (\$)				Surcharge per License		Total Annual Fee	Total Collections		Number of			Small Entity Subsidy
				Appl.	Insp.	Insp. Prior.	Calc. of General Multiple	Calc. of Insp. Multiple	General	Unique	Inspection	Total	LLW	Other		Base Fee (\$,K)	Total (\$,K)	Sm Entity	Real Sm Entity		
SPECIAL NUCLEAR MATERIAL:																					
1C. Industrial Gauges	9	6	15.0	660	1,420	5	14160	4260	906		340	1,246		110	1,356	19	20	0	0	0	1,400
1D. All Other SNM	54	14	68.0	1,300	3,200	5	131920	43520	1861		767	2,628	433	225	3,287	179	223	6	2	12400	3,300
SOURCE MATERIAL:																					
2B. Shielding	21	5	26.0	160	1,600	7	10103	5943	373		274	647		45	692	17	18	2	2	260	690
2C. Other Source Materials	62	18	80.0	5,700	5,900	3	613333	157333	7354		2357	9,711	433	890	11,035	777	883	10	1	106300	11,000
BYPRODUCT MATERIAL:																					
3A. Manufacturing - Broad	6	1	7.0	6,700	11,300	2	86450	39550	11847		6771	18,618	433	1434	20,485	130	143	2	0	48000	20,500
3B. Manufacturing - Other	45	11	56.0	2,200	3,300	3	184800	61600	3166		1318	4,484	433	383	5,300	251	297	14	18	163800	5,300
3C. Radiopharmaceuticals - Manuf./Process	40	8	48.0	8,700	3,300	3	470400	52800	9401		1318	10,719	433	1138	12,290	515	590	16	2	243000	12,300
3D. Radiopharmaceuticals - No Manuf./Process	6	0	6.0	2,400	1,700	3	17800	3400	2846		679	3,525		345	3,869	21	23	3	0	4500	3,900
3E. Irradiators - Self-Shield	121	21	142.0	1,700	1,800	3	326600	85200	2206		719	2,925		267	3,192	415	453	7	2	14400	3,200
3F. Irradiators - < 10,000 Ci	5	0	5.0	3,400	2,800	3	21667	4667	4157		1119	5,275		503	5,779	26	29	0	0	0	20,900
3G. Irradiators - > 10,000 Ci	9	1	10.0	8,000	5,400	1	134000	54000	12854		6472	19,326		1556	20,882	193	209	0	0	0	3,200
3H. Exempt Distribution - Device Review	29	5	34.0	2,300	1,700	5	89760	11560	2532		407	2,940		307	3,246	100	110	9	7	28600	4,600
3I. Exempt Distribution - No Device Review	75	13	88.0	3,400	2,000	5	334400	35200	3645		479	4,125		441	4,566	363	402	16	8	72000	2,100
3J. Gen. License - Device Review	16	2	18.0	1,000	1,870	4	26415	8415	1408		560	1,968		170	2,138	35	38	3	10	18000	1,400
3K. Gen. License - No Device Review	4	1	5.0	590	1,000	3	4617	1667	886		399	1,285		107	1,392	6	7	0	0	9000	10,000
3L. R&D - Broad	58	17	75.0	5,700	4,600	3	542500	115000	6939		1838	8,776	433	840	10,049	658	754	1	0	313200	4,400
3M. R&D - Other	162	46	208.0	2,500	2,300	4	639600	119600	2950		689	3,639	433	357	4,429	757	921	56	36	126000	4,800
3N. Service License	52	9	61.0	2,600	2,700	4	199775	41175	3142		809	3,951	433	380	4,764	241	291	10	20	1130400	12,500
3O. Radiography	103	21	124.0	4,200	3,500	1	954800	434000	7386		4195	11,581		894	12,475	1438	1547	68	19	515100	2,400
3P. All Other Byproduct Materials	1599	318	1917.0	1,300	2,200	5	3335580	843480	1669		527	2,196		202	2,398	4211	4598	170	221		
WASTE DISPOSAL AND PROCESSING:																					
4A. Waste Disposal*	0	0	0			1		0	0		0	0	433	0	433	0	0	0	0	0	9,800
4B. Waste Receipt/Packaging	11	1	12.0	1,700	3,300	1	60000	39600	4796		3955	8,751	433	581	9,765	105	117	1	1	20200	7,400
4C. Waste Receipt - Prepackaged	3	1	4.0	2,600	3,700	2	17800	7400	4269		2217	6,486	433	517	7,436	26	30	1	0	6200	
WELL LOGGING:																					
5A. Well Logging	33	5	38.0	5,600	3,700	3	259667	46867	6555		1478	8,033		794	8,827	305	335	10	22	289200	8,800
5B. Field Flooding Tracers Studies*	0	0				3	0	0	0		0	0	433	0	433	0	0	0	0	0	
NUCLEAR LAUNDRY:																					
6A. Nuclear Laundry	2	1	3.0	11,500	5,400	3	39900	5400	12758		2157	14,915	433	1544	16,893	45	51	0	0	0	16,900
HUMAN USE OF BYPRODUCT, SOURCE, OR SNM:																					
7A. Teletherapy	26	10	36.0	6,300	3,100	1	338400	111600	9017	85	3715	12,817		1092	13,909	461	501	4	0	52800	13,900
7B. Medical - Broad	69	18	87.0	4,500	8,300	1	1113600	722100	12278	85	9947	22,310	433	1486	24,230	1941	2108	1	0	25800	24,200
7C. Medical Other	1255	279	1534.0	2,200	2,900	3	4857667	1482867	3038	85	1158	4,281		388	4,649	6567	7131	208	94	1256400	4,600

### CALCULATION OF ANNUAL FEES BY CATEGORY FY 2001

License Fee Category	NUMBER OF LICENSES															FY 2001 Annual Fee (Rounded)							
	FY 2001		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)		(14)	(15)					
	Billed at FY 2000 Fee	Billed at FY 2001 Fee																					
	Total For FY 2001	Part 170 Fees(\$) Appl.																	Insp.	Insp. Prior.	Calc. of General Multiple	Calc. of Insp. Multiple	Part 171 Base Fee Per License (\$) General Unique Inspection Total
CIVIL DEFENSE:	8	1	9.0	330	2,400	7	6056	3086	645		411	1,056		78	1,134	10	10	0	0	0	2300	1,100	
8A. Civil Defense	8	1	9.0	330	2,400	7	6056	3086	645		411	1,056		78	1,134	10	10	0	0	0	500		
DEVICE, PRODUCT, OR SEALED SOURCE SAFETY EVALUATION:																						5,800	5,800
9A. Device/Product Safety Evaluation - Broad	75	8	83.0	5,400		7	448200	0	5180		0	5,180		627	6,607	430	482	29	18	211000	4200	5,800	
9B. Device/Product Safety Evaluation - Other	18	3	21.0	5,400		7	113400	0	5180		0	5,180		627	5,807	109	122	2	0	5600	5600	1,700	
9C. Sealed Sources Safety Evaluation - Broad	24	7	31.0	1,600		7	49600	0	1535		0	1,535		186	1,721	48	53	5	4	0	0	590	
9D. Sealed Sources Safety Evaluation - Other	20	1	21.0	550		7	11550	0	528		0	528		64	591	11	12	0	0				
TRANSPORTATION:																		0					
10.A (1) Certificate of Compliance	N/A	N/A	N/A																			0	
10.B.(1) Approvals (Users and Fabricators)	29	7	36.0																0				
10.B.(2) Approvals (Users Only)	76	7	83.0																			0	
OTHER LICENSES:																						0	
11. Standardized Spent Fuel Facilities	N/A	N/A	0.0																			0	
12. Special Projects	N/A	N/A	0.0																			0	
13.A. Spent Fuel Storage Certificate of Compliance	N/A	N/A	0.0																			0	
13.B. Spent Fuel General License	0	0	0.0																			0	
14. Decommissioning/Possession-Only	N/A	N/A	0.0																			0	
15. Export/Import	N/A	N/A	0.0																			0	
16. Reciprocity	N/A	N/A	0.0																			0	
17. Master Material License		2	2.0	25224	119373	1	289195	238747	138706	1273	143063	283042.001	6498.898107	16791.74661	306332.6455	566	613					306,000	
18.A. DOE Transportation Activities	0	1	1.0																				
18.B. DOE UMTRCA Activities	0	1	1.0																				
	=	=	=====				=====	=====								=====	=====	=====	=====	=====			
TOTAL	4125.0	870.0	4995.0				15743714	4780036				493679				20974	23123	654	487	4,674,160			
																		Transportation					
																		5	10	933,200			
																		Total Small Entity Subsidy	659	497	5,607,360		

255,563

Development Allocated to NRC Materials Licensees

<b>Total</b>	<b>\$143,218</b>	<b>(NRC portion=24% of: Part 35 implementation activities 2.3 FTE x materials rate + \$0,000 PS\$)</b>
--------------	------------------	--

1687.0

38

**\$20,974,071**

22.

FTE Rat

PSS

Total

5,728,611

	\$K	\$K	\$K	\$K
TOTAL GENERAL = TOTAL - INSPECTION - UNIQUE =	\$20,974	5,729	143	= 15,102
SURCHARGE (excl. LLW) =		3.9%	\$46,625	= 15,128
ANNUAL FEE MULTIPLIER = TOTAL GENERAL /		15744		= 0.96
INSPECTION MULTIPLIER = INSPECTION AMOUNT/		4780		= 1.2
SURCHARGE MULTIPLIER = SURCHARGE AMOUNT/		15744		= 0.12

### CALCULATION OF ANNUAL FEES BY CATEGORY FY 2001

[illegible]
$$\text{COL (5)} = \text{COL (1)} * [\text{COL (2)} + \text{COL (3)}/\text{COL (4)}]$$
$$\text{COL}(6) = \text{COL}(1) * (\text{COL}(3) / \text{COL}(4))$$
$$\text{COL (7)} = \text{GENERAL MULTIPLIER} * [\text{COL(2)} + \text{COL (3)/COL (4)}]$$

COL (8) = (UNIQUE COSTS) / (NO. OF APPLICABLE LICENSES)

COL (9) = INSPECTION MULTIPLIER\*(COL3/COL4)

$$\text{COL}(10) = \text{COL}(7) + \text{COL}(8) + \text{COL}(9)$$

COL (11) = LLW SURCHARGE =% Allocated * LLW Costs/# affected licenses	0.18 *	1,711 K/	711 =	433
---	--------	----------	-------	-----

$$\text{COL (12)} = \text{SURCHARGE MULTIPLIER} * (\text{COL(2)} + (\text{COL(3)} / \text{COL(4)}))$$
$$\text{COL}(13) = \text{COL}(10) + \text{COL}(11) + \text{COL}(12)$$
$$\text{COL}(14) = [\text{COL}(1) * \text{COL}(10)] / 1000$$
$$\text{COL}(15) = [\text{COL}(1) * \text{COL}(13)] / 1000$$

FY 2001

Number of Materials Licenses  
10 CFR 171

<u>Fee Category</u>	<u>No. of Licenses Subject to Fees</u>	<u>Exempt Non-Profit Educational</u>
1C	15	4
1D	68	108
2B	26	18
2C	80	39
3A	7	0
3B	56	0
3C	48	0
3D	6	0
3E	142	41
3F	5	8
3G	10	2
3H	34	0
3I	88	0
3J	18	0
3K	5	0
3L	75	50
3M	208	147
3N	61	0
3O	124	1
3P	1,917	59
4A	0	0
4B	12	0
4C	4	0
5A	38	0
5B	0	0
6A	3	0
7A	36	0
7B	87	0
7C	1,534	0
8A	9	0
9A	83	0
9B	21	0
9C	31	0
9D	21	0
17	<u>2</u>	<u>0</u>
TOTAL	4,874	477

Federals = 473

SEE BUDGET AUTHORITY TAB  
FOR ALLOCATION OF BUDGET TO  
EACH LICENSEE CLASS

## SURCHARGE - FY 2001

SURCHARGE RATE: \$308,362

	DIRECT RESOURCES		FEE AMOUNT (\$,M)
	,\$K	FTE	
<b>TOTAL NRC</b>			
FEDERAL AGENCY EXEMPTION	315	12	3.9
NONPROFIT EDUCATIONAL EXEMPTION	1,405	22	8.1
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REGULATORY SUPPORT TO AGREEMENT STATES	2,136	40	14.4
SDMP	2,995	14	7.3
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LLW GENERIC	154	5	1.7
<b>TOTAL</b>	<b>8,402</b>	<b>141.3</b>	<b>57.6</b>

To meet the 98% fee recovery requirement for FY 2001, the Surcharge is reduced by 2% of NRC's FY 2001 budget authority, minus the NWF and the General Fund, as shown below:

	(\$,M)
Total Surcharge amount less generic LLW (see note)	55.9
Budget Authority minus NWF & Gen Fund	462.5
Percent reduction in fee recovery amount for FY 2001	2.0%
Reduction in annual fee recovery amount for FY 2001	9.3
Surcharge, excluding LLW, less reduction in annual fee recovery amount	46.6
Generic LLW amount	1.7
<b>Total surcharge to be assessed</b>	<b>48.3</b>

NOTE: Generic LLW activities are not considered a fairness and equity issue because licensees will benefit from these activities

DISTRIBUTION OF SURCHARGE COSTS					
	LLW SURCHARGE		NON-LLW SURCHARGE		TOTAL SURCHARGE
	PERCENT	,\$M	PERCENT	,\$M	,\$M
POWER REACTORS	74%	1.3	79.1%	36.9	38.2
SPENT FUEL STORAGE/REACTOR DECOMMISSIONING	---	---	9.2%	4.3	4.3
NON-POWER REACTORS	---	---	0.1%	0.0	0.0
FUEL FACILITIES	8%	0.1	5.3%	2.5	2.6
MATERIALS	18%	0.3	3.9%	1.8	2.1
TRANSPORTATION	---	---	1.2%	0.5	0.5
RARE EARTH FACILITIES	---	---	0.2%	0.1	0.1
URANIUM RECOVERY	---	---	1.0%	0.4	0.4
<b>TOTAL</b>	<b>100</b>	<b>1.7</b>	<b>100.0%</b>	<b>46.6</b>	<b>48.3</b>

SEE BUDGET AUTHORITY TAB  
FOR BUDGETED SURCHARGE COSTS



03/05/2001

**DETERMINATION OF MATERIALS PART 170 FEES  
and Average Inspection Costs  
FY 2001**

FY2001 Materials Hourly Rate:  
**\$144**

Materials Part 170 Fee Category	FY 2001 Professional Process Time (Hours)	FY 2001 Fee/Cost (Professional Time x FY 2001 Hourly Rate)	FY 2001 Fee/Cost (Rounded)
<b>1. Special Nuclear Material</b>			
<b>1C. Industrial Gauges</b>			
Inspection Costs	9.9	\$1,425	\$1,420
New License	4.6	\$662	\$660
<b>1D. All Other SNM Material</b>			
Inspection Costs	22.5	\$3,238	\$3,200
New License	9.3	\$1,338	\$1,300
<b>2. Source Material</b>			
<b>2B. Shielding</b>			
Inspection Costs	11.3	\$1,626	\$1,600
New License	1.1	\$158	\$160
<b>2C. All Other Source Material</b>			
Inspection Costs	40.8	\$5,871	\$5,900
New License	39.3	\$5,655	\$5,700
<b>3. Byproduct Material</b>			
<b>3A. Mfg-Broad Scope</b>			
Inspection Costs	78.3	\$11,267	\$11,300
New License	46.8	\$6,734	\$6,700
<b>3B. Mfg-Other</b>			
Inspection Costs	22.7	\$3,266	\$3,300
New License	15.3	\$2,202	\$2,200
<b>3C. Mfg/Distribution Radiopharmaceuticals</b>			
Inspection Costs	23.2	\$3,338	\$3,300
New License	60.8	\$8,749	\$8,700
<b>3D. Distribution Radiopharmaceuticals/No Process</b>			
Inspection Costs	11.7	\$1,684	\$1,700
New License	17	\$2,446	\$2,400
<b>3E. Irradiators/Self-Shielded</b>			
Inspection Costs	12.8	\$1,842	\$1,800
New License	12	\$1,727	\$1,700
<b>3F. Irradiators &lt; 10,000 Ci</b>			
Inspection Costs	19.2	\$2,763	\$2,800
New License	23.4	\$3,367	\$3,400

03/05/2001

**DETERMINATION OF MATERIALS PART 170 FEES  
and Average Inspection Costs  
FY 2001**

FY2001 Materials Hourly Rate:  
\$144

Materials Part 170 Fee Category	FY 2001 Professional Process Time (Hours)	FY 2001 Fee/Cost (Professional Time x FY 2001 Hourly Rate)	FY 2001 Fee/Cost (Rounded)
<b>3G. Irradiators =&gt; 10,000 Ci</b>			
Inspection Costs	37.3	\$5,367	\$5,400
New License	55.8	\$8,030	\$8,000
<b>3H. Exempt Distribution/Device Review</b>			
Inspection Costs	11.8	\$1,698	\$1,700
New License	15.9	\$2,288	\$2,300
<b>3I. Exempt Distribution/No Device Review</b>			
Inspection Costs	14	\$2,015	\$2,000
New License	23.9	\$3,439	\$3,400
<b>3J. General License Distribution/Device Review</b>			
Inspection Costs	13	\$1,871	\$1,870
New License	7.2	\$1,036	\$1,000
<b>3K. General License Distribution/No Device Review</b>			
Inspection Costs	7.1	\$1,022	\$1,000
New License	4.1	\$590	\$590
<b>3L. R&amp;D-Broad</b>			
Inspection Costs	31.8	\$4,576	\$4,600
New License	39.3	\$5,655	\$5,700
<b>3M. R&amp;D-Other</b>			
Inspection Costs	16	\$2,302	\$2,300
New License	17.2	\$2,475	\$2,500
<b>3N. Service License</b>			
Inspection Costs	19	\$2,734	\$2,700
New License	17.9	\$2,576	\$2,600
<b>3O. Radiography</b>			
Inspection Costs	24.1	\$3,468	\$3,500
New License	29.3	\$4,216	\$4,200
<b>3P. All Other Byproduct Material</b>			
Inspection Costs	15.1	\$2,173	\$2,200
New License	9.3	\$1,338	\$1,300
<b>4. Waste Disposal/Processing</b>			
<b>4B. Waste Packaging</b>			
Inspection Costs	22.6	\$3,252	\$3,300
New License	12	\$1,727	\$1,700

03/05/2001

**DETERMINATION OF MATERIALS PART 170 FEES  
and Average Inspection Costs  
FY 2001**

FY2001 Materials Hourly Rate:  
\$144

Materials Part 170 Fee Category	FY 2001 Professional Process Time (Hours)	FY 2001 Fee/Cost (Professional Time x FY 2001 Hourly Rate)	FY 2001 Fee/Cost (Rounded)
<b>4C. Waste-Prepackaged</b>			
Inspection Costs	25.5	\$3,669	\$3,700
New License	18	\$2,590	\$2,600
<b>5. Well Logging</b>			
<b>5A. Well Logging</b>			
Inspection Costs	25.4	\$3,655	\$3,700
New License	39	\$5,612	\$5,600
<b>6. Nuclear Laundries</b>			
<b>6A. Nuclear Laundry</b>			
Inspection Costs	37.4	\$5,382	\$5,400
New License	79.7	\$11,469	\$11,500
<b>7. Human Use</b>			
<b>7A. Teletherapy</b>			
Inspection Costs	21.7	\$3,123	\$3,100
New License	43.7	\$6,288	\$6,300
<b>7B. Medical-Broad</b>			
Inspection Costs	57.7	\$8,303	\$8,300
New License	31.2	\$4,490	\$4,500
<b>7C. Medical-Other</b>			
Inspection Costs	20.1	\$2,892	\$2,900
New License	15.3	\$2,202	\$2,200
<b>8. Civil Defense</b>			
<b>8A. Civil Defense</b>			
Inspection Costs	16.5	\$2,374	\$2,400
New License	2.3	\$331	\$330
<b>9. Device, product or sealed source evaluation</b>			
<b>9A. Device evaluation-commercial distribution</b>			
Application - each device	37.2	\$5,353	\$5,400
<b>9B. Device evaluation - custom</b>			
Application - each device	37.2	\$5,353	\$5,400
<b>9C. Sealed source evaluation - commercial distribution</b>			
Application - each source	11.3	\$1,626	\$1,600

03/05/2001

**DETERMINATION OF MATERIALS PART 170 FEES  
and Average Inspection Costs  
FY 2001**

FY2001 Materials Hourly Rate:  
\$144

Materials Part 170 Fee Category	FY 2001 Professional Process Time (Hours)	FY 2001 Fee/Cost (Professional Time x FY 2001 Hourly Rate)	FY 2001 Fee/Cost (Rounded)
<b>9D. Sealed source evaluation - custom</b>			
Application - each source	3.8	\$547	\$550
<b>10. Transportation</b>			
<b>10B. Evaluation - Part 71 QA program</b>			
Application - approval	4.5	\$648	\$650

**NOTES:**

Rounding: <\$1000 rounded to nearest \$10,  
=or>\$1000 and <\$100,000 rounded to nearest \$100,  
=or>\$100,000 rounded to nearest \$1,000



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

December 8, 2000

*Jim*

MEMORANDUM TO: Jesse L. Funches  
Chief Financial Officer

FROM : William F. Kane, Director  
Office of Nuclear Material Safety  
and Safeguards *William F. Kane*

SUBJECT: BIENNIAL REVIEW OF FEES

In response to your memorandum of August 25, 2000, the Office of Nuclear Material Safety and Safeguards (NMSS) has reviewed and updated its materials licensing and inspection data. In reviewing and analyzing the data, NMSS looked for anomalies, trends, and performed a reality check, i.e., considering programmatic reasons and management estimates as to the applicable time known to complete different licensing cases. Attachment 1 provides a table which includes new levels of staff effort for each of the flat fee licensing categories for new applications. This attachment also provides a detailed worksheet that supports the table. The worksheet includes direct staff hour expenditures for fiscal years 1995 through 1999 and the case completions for the same period of time. Attachment 2 provides a table and detailed worksheet for the materials inspection fee categories. Also, we note that the vast majority of the materials licenses (approximately 70%), i.e., 3P-Other Byproduct (no change) and 7C-Doctors/Hospitals/Medical Institutions (-9% decrease) showed minimal fluctuation in the data.

Attachment 1 includes several fee categories in which only a few or no licensing actions were completed during the review period. In an effort to keep these categories with a few licensing actions in perspective, NMSS proposes to use several different criteria, which are: 1) used last two years of data most representative of category; 2) new guidance or rule/trend down, used data from last two years; 3) small changes, few cases, not basis for change; 4) limited data in recent years; insufficient basis for changes in numbers; and 5) hearing or other anomaly. Conversely, in the fee categories in which sufficient data are available, i.e., those categories in which 20 or more actions were completed, NMSS suggests that fees be revised based on the new averages. Based on the actual detailed data, NMSS can support the changes and believes the materials licensing fees are reasonably fluctuating over the five-year period.

CONTACT: Elizabeth Jacobs-Baynard, NMSS/PMDA  
301-415-7806

NMSS has the following recommendation regarding Category 10B:

Licensee Fee Category 10B, Part 71 QA Review, shows an increase in the flat fee of 60% which reflects an increase from 2.8 hours to 4.5 hours in the rolling five-year average (1995 - 1999) for hours to complete a review. While a small 1.7 hour increase in the average time to complete a QA review is not a significant matter, we did note that future updates of the flat fee using a rolling five-year average will have significant changes as a result of regulation changes and changes in the types and complexities of QA programs we review. For example, in the earlier years (mid 1990's), the QA reviews were mostly for the plutonium beryllium source recovery programs which only took 1-3 hours per review. Additionally, radiographers primarily were required to apply for a Part 71 QA program approval which required low average hours to review, but that requirement was terminated in 1997. Over the last two years ('98/'99), the QA reviews have focused on the mergers and acquisitions of the reactors and vendors. Although only a few reviews of this kind are performed (4 reviews in 1999), they were time intensive requiring an average of about 40 hours per review. Because the flat fee is based on a rolling five-year average, the average hours to complete a QA review is going to increase rapidly as '95, '96 and '97 data fall off. We will be calculating a 15 to 40 hour average in another couple of years.

Based on the changing nature of the activities in this fee category, NMSS recommends that the small current increase in the new flat fee (increase from 2.8 to 4.5 hours) be accepted.

NMSS analyzed its data with respect to processing of initial filing of Form NRC-241 (reciprocity work by Agreement States licensees in NRC jurisdiction) and the revisions to these filings. The data from the Regulatory Information Tracking System (RITS) showed that the hours charged to initial filings and revisions did not significantly change over the period, i.e., FY 1997 through FY 1999. Staff efforts for this process are recorded by use of the Reciprocity Tracking System (RTS). The RTS has experienced operational problems, and is still not a reliable source to obtain the required information. As other systems are implemented, such as STARFIRE, there may be an opportunity to improve the tracking of this activity. In addition, the staff believes that the \$200 revision fee has been difficult to implement fairly and efficiently, because of the need to distinguish between a "clarification" and a "revision," and the difficulty licensees have in predicting locations of reciprocal job sites. The amount collected for revisions in FY 2000 was relatively low, about \$23,000. Therefore, NMSS suggests that the revision fee be abolished, and the initial filing fee be increased from \$1,200 to about \$1,400. NMSS believes this would simplify the process for reciprocity licensees and NRC staff, while continuing to recover the costs of NRC's reciprocity program from those benefitting from NRC's reciprocity activities. NMSS notes that inspection costs were included in the application fee beginning in FY 1995 as a streamlining measure.

If there are questions related to the biennial review of materials flat fees or additional information is needed, please contact Elizabeth Jacobs-Baynard of my staff.

Attachments: As stated (2)

12/06/00

TABLE 1

**AVERAGE HOURS TO COMPLETE FLAT FEE  
NEW LICENSING ACTIONS**

LICENSE FEE CATEGORY	AVERAGE HRS. PER COMPLETION FROM RITS	HOURS IN CURRENT FEE SCHEDULE	NMSS' PROPOSED RECOM. BASED ON DATA	% INCREASE (+) DECREASE (-)	NO. OF LICENSES	NMSS' JUSTIFICATION NOTES	ADDITIONAL NOTES
1C SNM Pu SS&D	Not Appl.	4.6	4.6	---	2	4	
1D SNM Pu- Neut. Source	24.5	9.3	9.3	---	56	4	
2B Source MtlShielding	Not Appl.	1.1	1.1	---	21	4	
2C Source Other	50.1	39.3	39.3	---	47	4	
3A Mfg. Broad Scope	50.3	46.8	46.8	---	8	4	
3B Mfg. Other	15.3	17.4	15.3	-12	70		Trend in FY 98 & FY 99 showed a decrease per hourly review.
3C Mfg/Dist. Radiophar.	60.8	72.5	60.8	-16	49		Improved guidance.
3D Rad'phar. No process	9.6	17.0	17.0	---	7	4	
3E Irrad Self Shielded	12.7	12.0	12.0	---	111	4	There appeared to be anomalies in the data. Leave average hours per review the same.
3F Irrad. <10,000 Cur.	68.0	23.4	23.4	---	10	4	
3G Irrad. ≥10,000 Cur.	41.8	24.3	55.8	+130	13	1	Used data for FY 98 & FY 99 only. Prior year data for FY 95 through FY 97 appeared to have anomalies in the data. Management reviewed FY 98 & FY 99 data and determined that it represented a reasonable sampling of the time required to complete this type of review.
3H Ex. Dist. Device Rvw.	15.9	14.4	15.9	+10	87		
3I Ex. Dist. No Dev. Rvw.	23.9	22.7	23.9	+ 5	88		

12/06/00

TABLE 1

# AVERAGE HOURS TO COMPLETE FLAT FEE NEW LICENSING ACTIONS

LICENSE FEE CATEGORY	AVERAGE HRS. PER COMPLETION FROM RITS	HOURS IN CURRENT FEE SCHEDULE	NMSS' PROPOSED RECOM. BASED ON DATA	% INCREASE (+) DECREASE (-)	NO. OF LICENSES	NMSS' JUSTIFICATION NOTES	ADDITIONAL NOTES
3J GL Dist. Device Rvw.	5.4	7.2	7.2	---	22	4	
3K GL Dist. No Dev. Rvw.	5.2	4.1	4.1	---	7	4	One case completed in FY 98 - FY 99; not a representative sample.
3L R&D BroadNM	43.0	39.3	39.3	---	107	3	
3M R&D/Other	17.2	16.1	17.2	+ 7	368		
3N Service Licenses	17.9	16.7	17.9	+ 7	76		
3O Radiography	29.3	41.4	29.3	-29	125		Improved guidance.
3P Other Byproduct	9.5	9.3	9.3	---	1889	2	No change in the average hours per completion due to the recent trend (FY 98 & FY 99) which shows average hours per completion decreasing.
4B Waste Packaging	47.8	12.0	12.0	---	6	4	Two cases completed in FY 98 - FY 99; not a representative sample.
4C Waste Prepackaged	Not Appl.	18.0	18.0	---	5	4	Small license population; zero cases completed in five years.
5A Well Logging	39.0	42.8	39.0	- 9	39		
6A Nuclear Laundry	243.0	79.7	79.7	---	3	4	One case completed in five years.
7A Teletherapy	64.4	43.7	43.7	---	36	1, 2	New guidance; downward trend in FY 99.
7B Broad Medical	72.3	31.2	31.2	---	75	2, 4	Two cases completed in FY 99; new guidance; downward trend in FY 99.
7C Doctors /Hosp./Med. Institution	15.3	16.8	15.3	- 9	1559		



12/06/00

TABLE 1

**AVERAGE HOURS TO COMPLETE FLAT FEE  
NEW LICENSING ACTIONS**

LICENSE FEE CATEGORY	AVERAGE HRS. PER COMPLETION FROM RITS	HOURS IN CURRENT FEE SCHEDULE	NMSS' PROPOSED RECOM. BASED ON DATA	% INCREASE (+ ) DECREASE ( - )	NO. OF LICENSES	NMSS' JUSTIFICATION NOTES	ADDITIONAL NOTES
8A Civil Defense	Not Appl.	2.3	2.3	---	8	4	Zero cases completed in five years.
9A Device Rvw Commer.	68.2	37.2	37.2	---		5	There appears to be anomalies in the data for FY 98 and FY 99. Two hearings significantly increased the hours expended. The data were reviewed for FY 95 through FY 97 time frame because it appeared to be more accurate and aligned closer to the current average hours per completion. Based on the review, the recommendation is to retain the current average hours per completion.
9B Device Rvw. Custom	95.4	26.3	37.2	+41		5	The average hours per completion increase are based on the review of data provided in Category 9A. The two types of reviews are similar, therefore the average hours per review should be about the same.
9C SS Eval. Commercial	82.7	11.3	11.3	---		4, 5	Six cases completed in five years. Management viewed 11.3 hours as representative.
9D SS Eval. Custom	198.8	3.8	3.8	---		4	One case completed in FY 98; not a representative sample.
10B Pt. 71 QA Review	4.5	2.8	4.5	+60	132		

**NOTES:**

- 1) Used last two years of data most representative of category.
- 2) New guidance or rule/trend down, used data from last two years.
- 3) Small changes, few cases, not basis for change.
- 4) Limited data in recent years; insufficient basis for changes in numbers.
- 5) Hearing or other anomaly.

**MATERIALS LICENSING FEES (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	TAC NO.	LTS PROG. CODE	TITLE	STAFF HOURS EXPENDED						COMPLETIONS						AVG. HOURS PER COMPL.	FY99 HOURS PER COMPL.	FY98 HOURS PER COMPL.	CURRENT FEE SCHEDULE	NBS RECOMM. NEW FEE SCHEDULE	# LICENSES IN PROGRAM CODE
				FY95 STAFF HRS	FY96 STAFF HRS	FY97 STAFF HRS	FY98 STAFF HRS	FY99 STAFF HRS	TOTAL STAFF HRS	FY95 COMPL.	FY96 COMPL.	FY97 COMPL.	FY98 COMPL.	FY99 COMPL.	TOTAL COMPL.						
1C	72140	22140	SNM PLUTONIUM - SEALED SOURCES IN DEV NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0.0	0.0	4.6	4.6	2
1D	72211	22110	SNM PLUTONIUM - UNSEALED < CRITICAL NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		6
1D	72211	22111	SNM U-235 AND/OR U-235 < CRITICAL NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		6
1D	72212	22120	SNM PLUTONIUM - NEUTRON SOURCE < 200 GRAMS NEW APPLICATION	0.0	9.0	0.0	0.0	0.0	9.0	0	1	0	0	0	1	9.0			9.3		32
1D,3B,3P	72130	22130	POWER SOURCES BYPRODUCT AND/OR SNM NEW APPLICATION	15.5	0.0	0.0	0.0	0.0	15.5	0	0	0	0	0	0	0.0			9.3   17.4   9.3		0
1D	72150	22150	SNM PLUTONIUM - SEALED SOURCES < CRITICAL NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		8
1D	72151	22151	SNM U235 AND/OR U233 SEALED SRCS < CRITICAL NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		1
1D,3B	72162	22162	PACEMKR BYPRODUCT AND/OR SNM MANU. & DIST. NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3   17.4		1
1D	72170	22170	SNM GENERAL LICENSE DISTRIBUTION - 70.39 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		0
1D	72330	23300	SNM POSSESSION ONLY (NON-FUEL) NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		2
1D	72331	23310	SNM STANDBY (NON-FUEL) NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		0
TOTAL 1D			NEW APPLICATION	15.5	9.0	0.0	0.0	0.0	24.5	0	1	0	0	0	1	24.5	0.0	0.0	9.3	9.3	56
2B	71121	11210	SOURCE MATERIAL SHIELDING NEW APPLICATION	0.0	0.0	1.0	0.0	0.0	1.0	0	0	0	0	0	0	0.0	0.0	0.0	1.1	1.1	21
2C	71120	11200	SOURCE MATERIAL OTHER < 150 KILOGRAMS NEW APPLICATION	84.0	49.5	8.0	0.0	0.0	141.5	1	0	1	0	0	2	70.8			39.3		3
2C	71122	11220	SOURCE MATERIAL MILITARY MUNITION INDOOR TESTING NEW APPLICATION	18.0	0.0	0.0	0.0	0.0	18.0	0	0	0	0	0	0	0.0			39.3		4
2C	71122	11221	SOURCE MATERIAL MILITARY MUNITION OUTDOOR TESTING NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			39.3		2
2C	71123	11230	SOURCE MATERIAL GENERAL LIC DIST. 40.34 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			39.3		0
2C	71130	11300	SOURCE MATERIAL OTHER > 150 KILOGRAMS NEW APPLICATION	104.5	36.5	0.0	0.0	0.0	141.0	0	2	1	0	1	4	35.3			39.3		38
TOTAL 2C			NEW APPLICATION	206.5	86.0	8.0	0.0	0.0	300.5	1	2	2	0	1	6	50.1	0.0	0.0	39.3	39.3	47

**MATERIALS LICENSING FEES (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	TAC NO.	LTS PROG. CODE	TITLE	STAFF HOURS EXPENDED					COMPLETIONS					AVG. HOURS PER COMPL.	FY99 HOURS PER COMPL.	FY98 HOURS PER COMPL.	CURRENT FEE SCHEDULE	NRC RECOMM. NEW FEE SCHEDULE	# LICENSES IN PROGRAM CODE		
				FY95 STAFF HRS	FY96 STAFF HRS	FY97 STAFF HRS	FY98 STAFF HRS	FY99 STAFF HRS	TOTAL STAFF HRS	FY95 COMPL.	FY96 COMPL.	FY97 COMPL.	FY98 COMPL.							FY99 COMPL.	TOTAL COMPL.
3A	73211	03211	MANUFACTURING & DIST. TYPE A BROAD NEW APPLICATION	14.0	122.5	24.0	29.5	0.0	190.0	1	0	1	0	1	3	63.3			46.8		5
3A	73212	03212	MANUFACTURING & DIST. TYPE B BROAD NEW APPLICATION	4.0	5.0	0.0	2.0	0.0	11.0	0	0	0	0	1	1	11.0			46.8		2
3A	73213	03213	MANUFACTURING & DIST. TYPE C BROAD NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			46.8		1
TOTAL 3A			NEW APPLICATION	18.0	127.5	24.0	31.5	0.0	201.0	1	0	1	0	2	4	50.3	0.0	15.8	46.8	46.8	8
3B	73214	03214	MANUFACTURING & DIST. OTHER NEW APPLICATION	103.7	97.0	176.5	63.5	79.5	520.2	8	5	8	4	10	35	14.9			17.4		69
1D,3B,3P	72130	22130	POWER SOURCES BYPRODUCT AND/OR SNM NEW APPLICATION	15.5	0.0	0.0	0.0	0.0	15.5	0	0	0	0	0	0	0.0			9.3   17.4   9.3		0
1D,3B	72162	22162	PACEMKR BYPRODUCT AND/OR SNM MANU. & DIST. NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3   17.4		1
TOTAL 3B			NEW APPLICATION	119.2	97.0	176.5	63.5	79.5	535.7	8	5	8	4	10	35	15.3	8.0	10.2	17.4	15.3	70
3C	72500	02500	NUCLEAR PHARMACIES NEW APPLICATION	904.5	792.2	311.0	210.5	154.5	2372.7	12	8	4	4	11	39	60.8	14.0	24.3	72.5	60.8	49
3D	72511	02511	MEDICAL PRODUCT DISTRIBUTION-32.72 NEW APPLICATION	19.0	6.0	7.0	0.0	0.0	32.0	1	2	0	0	0	3	10.7			17.0		3
3D	72513	02513	MEDICAL PRODUCT DISTRIBUTION-32.74 NEW APPLICATION	13.0	0.0	3.0	0.0	0.0	16.0	1	0	0	0	1	2	8.0			17.0		4
TOTAL 3D			NEW APPLICATION	32.0	6.0	10.0	0.0	0.0	48.0	2	2	0	0	1	5	9.6	0.0	0.0	17.0	17.0	7
3E	73510	03510	IRRADIATORS SELF SHIELDED < 10000 CURIES NEW APPLICATION	10.5	69.0	30.5	28.0	27.0	165.0	3	6	1	2	1	13	12.7			12.0		97
3E	73520	03520	IRRADIATORS SELF SHIELDED > 10000 CURIES NEW APPLICATION	0.0	17.5	62.0	10.0	0.0	89.5	0	0	1	0	0	1	89.5			12.0		14
TOTAL 3E			NEW APPLICATION	10.5	86.5	92.5	38.0	27.0	254.5	3	6	2	2	1	14	18.2	27.0	21.7	12.0	12.0	111
3F	73511	03511	IRRADIATORS OTHER < 10000 CURIES NEW APPLICATION	0.0	22.0	38.0	8.0	0.0	68.0	0	0	1	0	0	1	68.0	0.0	0.0	23.4	23.4	10
3G	73521	03521	IRRADIATORS OTHER > 10000 CURIES NEW APPLICATION	0.0	3.5	10.5	50.0	61.5	125.5	0	1	0	1	1	3	41.8	61.5	55.8	24.3	55.8	13
3H	73254	03254	EXEMPT DISTRIBUTION - 32.22 NEW APPLICATION	6.5	7.5	6.0	11.0	13.0	44.0	0	2	1	0	0	3	14.7			14.4		10
3H,3I	73251	03251	EXEMPT DISTRIBUTION - 32.14																		

**MATERIALS LICENSING FEES (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	TAC NO.	LTS PROG. CODE	TITLE	STAFF HOURS EXPENDED					COMPLETIONS					AVG. HOURS PER COMPL.	FY99 HOURS PER COMPL.	FY98 HOURS PER COMPL.	CURRENT FEE SCHEDULE	NARS RECOMM. NEW FEE SCHEDULE	# LICENSE S IN PROGRAM CODE		
				FY95 STAFF HRS	FY96 STAFF HRS	FY97 STAFF HRS	FY98 STAFF HRS	FY99 STAFF HRS	TOTAL STAFF HRS	FY95 COMPL.	FY98 COMPL.	FY97 COMPL.	FY98 COMPL.							FY99 COMPL.	TOTAL COMPL.
3H	73255	03255	NEW APPLICATION	22.0	35.5	36.0	0.0	0.0	93.5	2	3	3	4	2	14	6.7			14.4   22.7	54	
			EXEMPT DISTRIBUTION - 32.26 NEW APPLICATION	20.5	35.5	8.5	144.5	129.0	338.0	2	1	4	4	2	13	26.0		14.4		23	
			NEW APPLICATION	49.0	78.5	50.5	155.5	142.0	475.5	4	6	8	8	4	30	15.9	35.5	24.8	14.4	15.9	87
TOTAL 3H																					
3I	73250	03250	EXEMPT DISTRIBUTION - 32.11 NEW APPLICATION	8.0	3.5	2.0	0.0	0.0	13.5	0	0	0	0	0	0	0.0			22.7	3	
3I	73252	03252	EXEMPT DISTRIBUTION - 32.17 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			22.7	0	
3I	73253	03253	EXEMPT DISTRIBUTION - 32.18 NEW APPLICATION	17.5	38.5	6.0	116.0	94.5	272.5	0	4	1	3	1	9	30.3			22.7	30	
3H,3I	73251	03251	EXEMPT DISTRIBUTION - 32.14 NEW APPLICATION	22.0	35.5	36.0	66.5	55.5	215.5	2	3	3	0	2	10	21.6		14.4   22.7		54	
3I	73256	03256	EXEMPT DISTRIBUTION - 32.21 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	2	2	0.0			22.7	1	
TOTAL 3I				47.5	77.5	44.0	182.5	150.0	501.5	2	7	4	3	5	21	23.9	30.0	41.6	22.7	23.9	88
3J	73240	03240	GENERAL LICENSE DISTRIBUTION - 32.51 NEW APPLICATION	15.5	33.0	5.0	0.0	0.0	53.5	3	2	4	0	1	10	5.4			7.2	21	
3J	73241	03241	GENERAL LICENSE DISTRIBUTION - 32.53 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			7.2	1	
3J	73243	03243	GENERAL LICENSE DISTRIBUTION - 32.61 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			7.2	0	
TOTAL 3J				15.5	33.0	5.0	0.0	0.0	53.5	3	2	4	0	1	10	5.4	0.0	0.0	7.2	7.2	22
3K	73242	03242	GENERAL LICENSE DISTRIBUTION - 32.57 NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			4.1	0	
3K	73244	03244	GENERAL LICENSE DISTRIBUTION - 32.71 NEW APPLICATION	0.0	0.0	0.0	0.0	15.5	15.5	0	1	1	0	1	3	5.2			4.1	7	
TOTAL 3K				0.0	0.0	0.0	0.0	15.5	15.5	0	1	1	0	1	3	5.2	15.5	15.5	4.1	4.1	7
3L	73610	03610	RESEARCH AND DEVELOPMENT TYPE A BROAD NEW APPLICATION	104.5	12.0	40.0	67.0	64.5	288.0	1	1	1	1	2	6	48.0			39.3	78	
3L	73611	03611	RESEARCH AND DEVELOPMENT TYPE B BROAD NEW APPLICATION	1.0	21.0	7.0	7.0	5.0	41.0	0	1	0	0	0	1	41.0			39.3	20	
3L	73612	03612	RESEARCH AND DEVELOPMENT TYPE C BROAD NEW APPLICATION	0.0	0.0	6.0	0.0	0.0	6.0	0	0	1	0	0	1	6.0			39.3	6	
3L	73613	03613	RESEARCH AND DEVELOPMENT - MULTISITE NEW APPLICATION	0.0	0.0	0.0	9.0	0.0	9.0	0	0	0	0	0	0	0.0			39.3	3	
TOTAL 3L				105.5	33.0	53.0	83.0	69.5	344.0	1	2	2	1	2	8	43.0	34.8	50.8	39.3	39.3	107

**MATERIALS LICENSING FEES (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	TAC NO.	LTS PROG. CODE	TITLE	STAFF HOURS EXPENDED						COMPLETIONS						AVG. HOURS PER COMPL.	FY99 HOURS PER COMPL.	FY98 HOURS PER COMPL.	CURRENT FEE SCHEDULE	NMSS RECOMM. NEW FEE SCHEDULE	# LICENSES IN PROGRAM CODE
				FY95 STAFF HRS	FY96 STAFF HRS	FY97 STAFF HRS	FY98 STAFF HRS	FY99 STAFF HRS	TOTAL STAFF HRS	FY95 COMPL.	FY96 COMPL.	FY97 COMPL.	FY98 COMPL.	FY99 COMPL.	TOTAL COMPL.						
3M	73620	03620	RESEARCH AND DEVELOPMENT OTHER NEW APPLICATION	390.5	561.0	568.0	386.5	324.5	2230.5	28	32	32	19	19	130	17.2	17.1	18.7	16.1	17.2	368
3N	73219	03219	DECONTAMINATION SERVICES NEW APPLICATION	36.0	9.0	80.5	52.0	0.0	177.5	0	1	1	1	0	3	59.2			16.7		5
3N	73225	03225	OTHER SERVICES NEW APPLICATION	138.7	24.0	91.0	202.0	30.5	486.2	11	6	6	4	7	34	14.3			16.7		71
TOTAL 3N			NEW APPLICATION	174.7	33.0	171.5	254.0	30.5	663.7	11	7	7	5	7	37	17.9	4.4	23.7	16.7	17.9	76
3O	73310	03310	INDUSTRIAL RADIOGRAPHY FIXED LOCATION NEW APPLICATION	22.5	2.0	7.0	0.0	6.0	37.5	1	0	0	0	0	1	37.5			41.4		16
3O	73320	03320	INDUSTRIAL RADIOGRAPHY TEMP JOB SITES NEW APPLICATION	237.0	220.5	94.0	259.0	267.0	1077.5	5	5	4	6	17	37	29.1			41.4		109
TOTAL 3O			NEW APPLICATION	259.5	222.5	101.0	259.0	273.0	1115.0	6	5	4	6	17	38	29.3	16.1	23.1	41.4	29.3	125
3P	72400	02400	VETERINARY NON-HUMAN NEW APPLICATION	140.0	40.5	68.5	31.5	59.0	339.5	4	3	6	4	2	19	17.9			9.3		19
3P	72410	02410	IN VITRO TESTING LABORATORIES NEW APPLICATION	46.5	16.0	3.0	31.5	27.0	124.0	5	1	0	1	1	8	15.5			9.3		45
3P	73120	03120	MEASURING SYSTEMS FIXED GAUGES NEW APPLICATION	392.6	285.5	220.0	198.0	143.5	1239.6	33	21	16	20	18	108	11.5			9.3		482
3P	73121	03121	MEASURING SYSTEMS PORTABLE GAUGES NEW APPLICATION	544.5	935.9	802.5	837.5	411.2	3531.6	70	84	97	74	120	445	7.9			9.3		1089
3P	73122	03122	MEASURING SYSTEMS ANALYTICAL INSTRUMENTS NEW APPLICATION	2.0	36.8	30.0	13.5	23.0	105.3	4	4	2	0	2	12	8.8			9.3		31
3P	73123	03123	MEASURING SYSTEMS GAS CHROMATOGRAPHS NEW APPLICATION	21.5	74.0	13.0	31.0	6.0	145.5	4	2	3	4	2	15	9.7			9.3		100
3P	73124	03124	MEASURING SYSTEMS OTHER NEW APPLICATION	17.5	18.0	36.0	44.0	20.0	135.5	2	3	3	3	4	15	9.0			9.3		30
3P	73220	03220	LEAK TEST SERVICE ONLY NEW APPLICATION	15.5	2.0	0.0	14.5	0.0	32.0	1	1	1	1	1	5	6.4			9.3		3
3P	73221	03221	INSTRUMENT CALIB. SERVICE ONLY < 100 CI NEW APPLICATION	112.6	94.0	26.0	96.0	69.1	397.7	1	3	2	1	3	10	39.8			9.3		21
1D,3B,3P	72130	22130	POWER SOURCES BYPRODUCT AND/OR SNM NEW APPLICATION	15.5	0.0	0.0	0.0	0.0	15.5	0	0	0	0	0	0	0.0			9.3   17.4   9.3		0
3P	73222	03222	INSTRUMENT CALIB. SERVICE ONLY > 100 CI NEW APPLICATION	10.5	60.0	0.0	5.0	37.0	112.5	0	0	0	1	3	4	28.1			9.3		9
3P	73800	03800	BYPRODUCT MATERIAL POSSESSION ONLY NEW APPLICATION	12.0	16.0	2.5	0.0	0.0	30.5	7	4	1	2	0	14	2.2			9.3		36
3P	73810	03810	BYPRODUCT MATERIAL STANDBY NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			9.3		4

**MATERIALS LICENSING FEES (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	TAC NO.	LTS PROG. CODE	TITLE	STAFF HOURS EXPENDED						COMPLETIONS						AVG. HOURS PER COMPL.	FY99 HOURS PER COMPL.	FY98 HOURS PER COMPL.	CURRENT FEE SCHEDULE	FY98 RECOMM. NEW FEE SCHEDULE	# BALANCE S IN PROGRAM CODE
				FY95 STAFF HRS	FY96 STAFF HRS	FY97 STAFF HRS	FY98 STAFF HRS	FY99 STAFF HRS	TOTAL STAFF HRS	FY95 COMPL.	FY96 COMPL.	FY97 COMPL.	FY98 COMPL.	FY99 COMPL.	TOTAL COMPL.						
TOTAL 3P			NEW APPLICATION	1330.7	1578.7	1201.5	1302.5	795.8	6209.2	131	126	131	111	156	655	9.5	5.1	7.9	9.3	9.3	1869
4B	73234	03234	WASTE DISPOSAL SRVC PROCSNG AND/OR REPACKAGING NEW APPLICATION	10.0	1.0	13.0	138.0	29.0	191.0	1	1	0	1	1	4	47.8	29.0	83.5	12.0	12.0	6
4C	73232	03232	PREPACKAGE ONLY NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0.0	0.0	18.0	18.0	5
5A	73110	03110	WELL LOGGING BYPRODUCT/SNM TRACER & SS NEW APPLICATION	0.0	56.0	0.0	0.0	53.5	109.5	0	0	0	0	3	3	36.5			42.8		14
5A	73111	03111	WELL LOGGING BYPRODUCT/SNM SEALED S ONLY NEW APPLICATION	125.9	0.0	59.5	144.0	51.5	380.9	1	1	0	4	3	9	42.3			42.8		22
5A	73112	03112	WELL LOGGING BYPRODUCT ONLY-TRACERS ONLY NEW APPLICATION	0.0	0.0	0.0	0.0	17.0	17.0	0	0	0	0	1	1	17.0			42.8		3
TOTAL 5A			NEW APPLICATION	125.9	56.0	59.5	144.0	122.0	507.4	1	1	0	4	7	13	39.0	17.4	24.2	42.8	39.0	39
6A	73218	03218	NUCLEAR LAUNDRY NEW APPLICATION	63.0	14.0	95.0	71.0	0.0	243.0	0	0	0	1	0	1	243.0	0.0	71.0	79.7	79.7	3
7A	72300	02300	TELETHERAPY NEW APPLICATION	140.0	73.5	43.0	163.5	95.0	515.0	1	1	1	1	0	4	128.8			43.7		24
7A	72310	02310	STEREOTACTIC RADIOSURGERY - GAMMA KNIFE NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	1	3	4	0.0			43.7		12
TOTAL 7A			NEW APPLICATION	140.0	73.5	43.0	163.5	95.0	515.0	1	1	1	2	3	8	64.4	31.7	51.7	43.7	43.7	36
7B	72110	02110	MEDICAL INSTITUTION BROAD NEW APPLICATION	31.0	0.0	6.0	23.0	84.5	144.5	0	0	0	0	2	2	72.3	42.3	53.8	31.2	31.2	75
7C	72120	02120	MEDICAL INSTITUTION - QMP REQUIRED NEW APPLICATION	312.0	361.5	194.9	185.0	242.0	1295.4	7	15	10	2	13	47	27.6			16.8		774
7C	72121	02121	MEDICAL INSTITUTION - QMP NOT REQUIRED NEW APPLICATION	40.5	47.0	109.9	103.0	89.5	389.9	2	3	5	6	7	23	17.0			16.8		130
7C	72200	02200	MEDICAL PRIVATE PRACTICE - QMP REQUIRED NEW APPLICATION	394.5	389.0	218.0	213.7	182.0	1397.2	13	20	11	16	15	75	18.6			16.8		131
7C	72201	02201	MEDICAL PRIVATE PRACTICE - QMP NOT REQUIRED NEW APPLICATION	16.0	67.5	305.5	425.5	477.5	1292.0	22	14	37	47	45	165	7.8			16.8		315
7C	72210	02210	EYE APPLICATORS STRONTIUM-90 NEW APPLICATION	9.0	123.0	14.0	0.0	0.0	146.0	1	0	2	0	0	3	48.7			16.8		20
7C	72220	02220	MOBILE NUCLEAR MEDICINE SERVICE NEW APPLICATION	180.5	45.5	21.0	54.5	54.0	355.5	7	2	5	3	6	23	15.5			16.8		40

**MATERIALS LICENSING FEES (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	TAC NO.	LTS PROG. CODE	TITLE	STAFF HOURS EXPENDED						COMPLETIONS						AVG. HOURS PER COMPL.	FY99 HOURS PER COMPL.	FY99 HOURS PER COMPL.	CURRENT FEE SCHEDULE	NMSS RECOMM. NEW FEE SCHEDULE	# LA. ENDS S IN PROGRAM CODE
				FY95 STAFF HRS	FY96 STAFF HRS	FY97 STAFF HRS	FY98 STAFF HRS	FY99 STAFF HRS	TOTAL STAFF HRS	FY95 COMPL.	FY96 COMPL.	FY97 COMPL.	FY98 COMPL.	FY99 COMPL.	TOTAL COMPL.						
7C	72230	02230	HIGH DOSE RATE REMOTE AFTERLOADER NEW APPLICATION	243.3	54.5	12.0	34.0	78.5	422.3	9	0	0	3	3	15	28.2			16.8		118
7C	72231	02231	MOBILE HI DOSE RATE REMOTE AFTERLOADER NEW APPLICATION	0.0	0.0	0.0	9.5	119.0	128.5	0	0	0	1	2	3	42.8			16.8		3
7C	72240	02240	MOBILE THERAPY NEW APPLICATION	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0			16.8		0
7C	72160	22160	PACEMAKER BYPRODUCT AND/OR SNM MED INST. NEW APPLICATION	0.0	0.0	8.0	0.0	2.5	10.5	0	0	1	0	0	1	10.5			16.8		28
TOTAL 7C			NEW APPLICATION	1195.8	1088.0	883.3	1025.2	####	5437.3	61	54	71	78	91	355	15.3	13.7	13.4	16.8	15.3	1559
8A	73710	03710	CIVIL DEFENSE NEW APPLICATION	1.0	0.0	1.0	0.0	0.0	2.0	0	0	0	0	0	0	0.0	0.0	0.0	2.3	2.3	8
9A			DEVICE REVIEWS-COMMERCIAL NEW APPLICATION	528.0	489.5	475.8	1017.2	####	3888.5	20	8	11	13	5	57	68.2	275.2	133.0	37.2	37.2	
9B			DEVICE REVIEWS-CUSTOM NEW APPLICATION	67.5	108.5	191.0	69.5	136.0	572.5	1	2	0	2	1	6	95.4	136.0	68.5	26.3	37.2	
9C			SEALED SOURCE REVIEWS-COMMERCIAL NEW APPLICATION	56.6	190.8	86.5	95.5	67.0	496.4	0	2	1	1	2	6	82.7	33.5	54.2	11.3	11.3	
9D			SEALED SOURCE REVIEWS-CUSTOM NEW APPLICATION	37.0	45.8	62.0	31.0	23.0	198.8	0	0	0	1	0	1	198.8	0.0	54.0	3.8	3.8	
10B			TRANSPORTATION OF RADIOACTIVE MATERIAL - PART 71 QA NEW APPLICATION	91.5	87.0	77.5	115.7	166.5	538.2	43	37	19	16	4	119	4.5	41.6		2.8	4.5	132
			TOTAL COMPLETIONS FOR NEW MATERIALS LICENSING (EXCLUDES SS&D & TRANSPORT)								277	270	283	249	340						



10/18/00

**TABLE 2****AVERAGE HOURS TO COMPLETE  
INSPECTION ACTIONS**

<b>LICENSE FEE CATEGORY</b>	<b>AVERAGE HOURS PER COMPLETION FROM RITS</b>	<b>NUMBER OF LICENSES</b>
1C SNM Plutonium SS&D	9.9	2
1D SNM Pu- Neutron Source	22.5	56
2B Source Material Shielding	11.3	21
2C Source Other	40.8	47
3A Mfg. Broad Scope	78.3	8
3B Mfg. Other	22.7	70
3C Mfg/Dist. Radiopharmacy	23.2	49
3D Radiophar. No process	11.7	7
3E Irrad. Self Shielded	12.8	111
3F Irrad. <10,000 Cur.	19.2	10
3G Irrad. ≥ 10,000 Cur.	37.3	13
3H Exempt Dist. Device Rvw.	11.8	87
3I Exempt Dist- No Dev. Rvw.	14.0	88
3J GL Dist. Device Rvw.	13.0	22
3K GL Dist.- No Dev. Rvw.	7.1	7
3L Research & Develop. Broad	31.8	107

10/18/00

**TABLE 2**

**AVERAGE HOURS TO COMPLETE  
INSPECTION ACTIONS**

<b>LICENSE FEE CATEGORY</b>	<b>AVERAGE HOURS PER COMPLETION FROM RITS</b>	<b>NUMBER OF LICENSES</b>
3M Research & Develop. Other	16.0	368
3N Service Licenses	19.0	76
3O Radiography	24.1	125
3P Other Byproduct	15.1	1869
4B Waste Packaging	22.6	6
4C Waste Prepackaged	25.5	5
5A Well Logging	25.4	39
6A Nuclear Laundry	37.4	3
7A Teletherapy	21.7	36
7B Broad Medical	57.7	75
7C Doctors & Hospitals	20.1	1559
8A Civil Defense	16.5	8

**MATERIALS LICENSE INSPECTION ACTIONS -AVERAGE HOURS (OVERTIME INCLUDED)**

1999 LICENSE FEE CATEGORY	LTS PROGRAM CODE	TITLE	STAFF HOURS EXPENDED						NUMBER OF INSPECTIONS COMPLETED						AVG. HOURS PER COMPL	# LICENSES IN PROGRAM CODE
			FY 95 STAFF HRS	FY 96 STAFF HRS	FY 97 STAFF HRS	FY 98 STAFF HRS	FY 99 STAFF HRS	TOTAL STAFF HRS	FY95 INSPECT COMPL	FY96 INSPECT COMPL	FY97 INSPECT COMPL	FY98 INSPECT COMPL	FY99 INSPECT COMPL	TOTAL COMPL		
1C	22140	SNM PLUTONIUM - SEALED SOURCES IN DEVICES INSPECTIONS	0.0	10.5	18.5	40.0	0.0	69.0	0	3	2	2	0	7	9.9	2
1D	22110	SNM PLUTONIUM -UNSEALED < CRITICAL INSPECTIONS	0.0	0.0	0.0	152.2	52.1	204.3	0	0	0	6	3	9	22.7	6
1D	22111	SNM U-235 AND/OR U-235 < CRITICAL INSPECTIONS	0.0	0.0	0.0	80.0	114.0	194.0	0	0	0	4	5	9	21.6	6
1D	22120	SNM PLUTONIUM -NEUTRON SOURCE < 200 GRAMS INSPECTIONS	154.0	195.5	141.0	135.5	37.0	663.0	8	19	11	15	3	56	11.8	32
1D,3B,3P	22130	POWER SOURCES BYPRODUCT AND/OR SNM INSPECTIONS	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
1D	22150	SNM PLUTONIUM - SEALED SOURCES < CRITICAL INSPECTIONS	123.5	16.0	36.0	10.2	20.3	206.0	4	1	3	1	1	10	20.6	8
1D	22151	SNM U235 AND/OR U233 SEALED SRCS < CRTCL INSPECTIONS	0.0	0.0	0.0	4.0	8.0	12.0	0	0	0	1	1	2	6.0	1
1D,3B	22162	PACEMAKER BYPRDCT AND/OR SNM MANU. & DIST. INSPECTIONS	3.0	29.5	0.0	0.0	12.0	44.5	1	1	0	0	1	3	14.8	1
1D	22170	SNM GENERAL LIC. DISTRIBUTION INSPECTIONS	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
1D	23300	SNM POSSESSION ONLY (NON-FUEL) INSPECTIONS	0.0	0.0	0.0	374.5	554.5	929.0	0	0	0	7	4	11	84.5	2
1D	23310	SNM STANDBY (NON-FUEL) INSPECTIONS	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
TOTAL 1D		INSPECTIONS	280.5	241.0	177.0	756.4	797.9	2252.8	13	21	14	34	18	100	22.5	56
2B	11210	SOURCE MATERIAL SHIELDING INSPECTIONS	2.5	76.5	11.0	12.0	0.0	102.0	0	7	1	1	0	9	11.3	21
2C	11200	SOURCE MATERIAL OTHER < 150 KILOGRAMS INSPECTIONS	207.0	99.5	157.5	59.0	100.0	623.0	9	2	5	3	3	22	28.3	3
2C	11220	SOURCE MATL MILITARY MUNITION - INDOOR TESTING INSPECTIONS	257.0	84.5	52.5	90.0	19.0	503.0	3	1	4	1	1	10	50.3	4
2C	11221	SOURCE MATL MILITARY MUNITION - OUTDOOR TESTING INSPECTIONS	19.0	38.0	0.0	81.5	0.0	138.5	1	1	0	1	0	3	46.2	2
2C	11230	SOURCE MATERIAL GENERAL LIC DIST. 40.34 INSPECTIONS	0.0	0.0	0.0	0.0	169.3	169.3	0	0	0	0	2	2	84.7	0
2C	11300	SOURCE MATERIAL OTHER > 150 KILOGRAMS INSPECTIONS	1602.3	1192.5	1457.3	1351.7	559.1	6162.9	38	25	34	31	21	149	41.4	38
TOTAL 2C		INSPECTIONS	2,085.3	1,414.5	1,667.3	1,582.2	847.4	7596.7	51	29	43	36	27	186	40.8	47
3A	03211	MANUFACTURING & DIST. TYPE A BROAD INSPECTIONS	1889.7	1099.0	1181.1	922.0	591.0	5682.8	27	18	22	15	16	67	84.8	5

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1999 LICENSE FEE CATEGORY	LTS PROGRAM CODE	TITLE	STAFF HOURS EXPENDED						NUMBER OF INSPECTIONS COMPLETED						AVG. HOURS PER COMPL	# LICENSES IN PROGRAM CODE
			FY 95 STAFF HRS	FY 96 STAFF HRS	FY 97 STAFF HRS	FY 98 STAFF HRS	FY 99 STAFF HRS	TOTAL STAFF HRS	FY95 INSPECT COMPL	FY96 INSPECT COMPL	FY97 INSPECT COMPL	FY98 INSPECT COMPL	FY99 INSPECT COMPL	TOTAL COMPL		
3A	03212	MANUFACTURING & DIST. TYPE B BROAD INSPECTIONS	64.5	36.3	55.0	51.0	13.0	219.8	3	3	2	3	1	8	27.5	2
3A	03213	MANUFACTURING & DIST. TYPE C BROAD INSPECTIONS	31.5	0.0	0.0	0.0	20.0	51.5	1	0	0	0	1	1	51.5	1
<b>TOTAL 3A</b>		<b>INSPECTIONS</b>	<b>1,985.7</b>	<b>1,135.3</b>	<b>1,236.1</b>	<b>973.0</b>	<b>624.0</b>	<b>5,954.1</b>	<b>31</b>	<b>21</b>	<b>24</b>	<b>18</b>	<b>18</b>	<b>76</b>	<b>78.3</b>	<b>8</b>
3B	03214	MANUFACTURING & DIST. OTHER INSPECTIONS	1193.8	1175.5	1198.7	626.0	696.0	4890.0	49	49	49	37	30	214	22.9	69
1D,3B,3P	22130	MANUFACTURING & DIST. OTHER INSPECTIONS	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
1D,3B	22162	PACEMAKER BYPRDCT AND/OR SNM MANU. & DIST. INSPECTIONS	3.0	29.5	0.0	0.0	12.0	44.5	1	1	0	0	1	3	14.8	1
<b>TOTAL 3B</b>		<b>INSPECTIONS</b>	<b>1,196.8</b>	<b>1,205.0</b>	<b>1,198.7</b>	<b>626.0</b>	<b>708.0</b>	<b>4934.5</b>	<b>50</b>	<b>50</b>	<b>49</b>	<b>37</b>	<b>31</b>	<b>217</b>	<b>22.7</b>	<b>70</b>
3C	02500	NUCLEAR PHARMACIES INSPECTIONS	1,731.5	1,673.4	1,616.9	1,749.2	1,527.7	8298.7	78	77	73	70	60	358	23.2	49
3D	02511	MEDICAL PRODUCT DISTRIBUTION-32.72 INSPECTIONS	72.0	13.5	45.0	2.0	13.0	145.5	4	2	3	1	1	11	13.2	3
3D	02513	MEDICAL PRODUCT DISTRIBUTION-32.74 INSPECTIONS	31.5	13.0	0.0	9.0	0.0	53.5	3	2	0	1	0	6	8.9	4
<b>TOTAL 3D</b>		<b>INSPECTIONS</b>	<b>103.5</b>	<b>26.5</b>	<b>45.0</b>	<b>11.0</b>	<b>13.0</b>	<b>199.0</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>17</b>	<b>11.7</b>	<b>7</b>
3E	03510	IRRADIATORS SELF SHIELDED < 10000 CURIES INSPECTIONS	573.4	152.5	117.3	202.0	460.2	1505.4	49	12	16	19	42	138	10.9	97
3E	03520	IRRADIATORS SELF SHIELDED > 10000 CURIES INSPECTIONS	360.8	80.5	160.5	204.5	55.5	861.8	14	8	9	13	3	47	18.3	14
<b>TOTAL 3E</b>		<b>INSPECTIONS</b>	<b>934.2</b>	<b>233.0</b>	<b>277.8</b>	<b>406.5</b>	<b>515.7</b>	<b>2367.2</b>	<b>63</b>	<b>20</b>	<b>25</b>	<b>32</b>	<b>45</b>	<b>185</b>	<b>12.8</b>	<b>111</b>
3F	03511	IRRADIATORS OTHER < 10000 CURIES INSPECTIONS	140.5	205.0	91.5	99.0	78.5	614.5	8	11	6	4	3	32	19.2	10
3G	03521	IRRADIATORS OTHER > 10000 CURIES INSPECTIONS	504.0	533.0	1224.0	1029.1	817.0	4107.1	19	21	24	25	21	110	37.3	13
3H	03254	EXEMPT DISTRIBUTION - 32.22 INSPECTIONS	9.5	17.0	23.5	31.0	32.0	113.0	2	3	3	4	4	16	7.1	10
3H,3I	03251	EXEMPT DISTRIBUTION - 32.14 INSPECTIONS	79.3	134.5	150.5	141.5	136.4	642.2	9	14	12	12	8	55	11.7	54
3H	03255	EXEMPT DISTRIBUTION - 32.26 INSPECTIONS	136.0	92.5	73.5	83.1	53.5	438.6	4	10	5	7	4	30	14.6	23

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			FY 95 STAFF HRS	FY 96 STAFF HRS	FY 97 STAFF HRS	FY 98 STAFF HRS	FY 99 STAFF HRS		FY95 INSPECT COMPL.	FY96 INSPECT COMPL.	FY97 INSPECT COMPL.	FY98 INSPECT COMPL.	FY99 INSPECT COMPL.	TOTAL COMPL.		
<b>TOTAL 3H</b>		<b>INSPECTIONS</b>	224.8	244.0	247.5	255.6	221.9	1193.8	15	27	20	23	16	101	11.8	87
<b>3I</b>	03250	<b>EXEMPT DISTRIBUTION - 32.11 INSPECTIONS</b>	9.0	109.5	25.8	29.5	28.0	201.8	2	2	2	3	1	10	20.2	3
<b>3I</b>	03252	<b>EXEMPT DISTRIBUTION - 32.17 INSPECTIONS</b>	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
<b>3I</b>	03253	<b>EXEMPT DISTRIBUTION - 32.18 INSPECTIONS</b>	39.8	144.5	155.3	94.0	92.7	526.3	2	9	9	6	7	33	15.9	30
<b>3H,3I</b>	03251	<b>EXEMPT DISTRIBUTION - 32.14 INSPECTIONS</b>	79.3	134.5	150.5	141.5	136.4	642.2	9	14	12	12	8	55	11.7	54
<b>3I</b>	03256	<b>EXEMPT DISTRIBUTION - 32.21 INSPECTIONS</b>	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	1
<b>TOTAL 3I</b>		<b>INSPECTIONS</b>	128.1	388.5	331.6	265.0	257.1	1370.3	13	25	23	21	16	98	14.0	88
<b>3J</b>	03240	<b>GENERAL LICENSE DISTRIBUTION - 32.51 INSPECTIONS</b>	109.3	194.5	223.2	63.5	125.5	716.0	15	10	19	5	5	54	13.3	21
<b>3J</b>	03241	<b>GENERAL LICENSE DISTRIBUTION - 32.53 INSPECTIONS</b>	0.5	0.0	0.0	0.0	0.0	0.5	1	0	0	0	0	1	0.5	1
<b>3J</b>	03243	<b>GENERAL LICENSE DISTRIBUTION - 32.61 INSPECTIONS</b>	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
<b>TOTAL 3J</b>		<b>INSPECTIONS</b>	109.8	194.5	223.2	63.5	125.5	716.5	16	10	19	5	5	55	13.0	22
<b>3K</b>	03242	<b>GENERAL LICENSE DISTRIBUTION - 32.57 INSPECTIONS</b>	0.0	0.0	15.0	4.0	0.0	19.0	0	0	1	0	0	1	19.0	0
<b>3K</b>	03244	<b>GENERAL LICENSE DISTRIBUTION - 32.71 INSPECTIONS</b>	6.0	19.7	6.5	3.5	32.0	66.7	1	4	1	1	4	11	6.1	7
<b>TOTAL 3K</b>		<b>INSPECTIONS</b>	6.0	19.7	21.5	7.5	32.0	85.7	1	4	2	1	4	12	7.1	7
<b>3L</b>	03610	<b>RESEARCH AND DEVELOPMENT TYPE A BROAD INSPECTIONS</b>	1860.9	1514.2	1721.5	1076.1	1438.7	7611.4	63	52	46	37	48	246	30.9	78
<b>3L</b>	03611	<b>RESEARCH AND DEVELOPMENT TYPE B BROAD INSPECTIONS</b>	68.0	270.0	282.5	353.0	140.0	1113.5	4	16	11	9	8	48	23.2	20
<b>3L</b>	03612	<b>RESEARCH AND DEVELOPMENT TYPE C BROAD INSPECTIONS</b>	40.9	70.3	6.0	1.0	53.0	171.2	3	2	1	1	2	9	19.0	6
<b>3L</b>	03613	<b>RESEARCH AND DEVELOPMENT - MULTISITE INSPECTIONS</b>	1238.8	1494.9	1190.3	1455.5	1062.7	6442.2	21	40	42	40	36	179	36.0	3
<b>TOTAL 3L</b>		<b>INSPECTIONS</b>	3208.6	3349.4	3200.3	2885.6	2694.4	15338.3	91	110	100	87	94	482	31.8	107
<b>3M</b>	03620	<b>RESEARCH AND DEVELOPMENT OTHER</b>														

**MATERIALS LICENSE INSPECTION ACTIONS -AVERAGE HOURS (OVERTIME INCLUDED,**

1999 LICENSE FEE CATEGORY	LTS PROGRAM CODE	TITLE	STAFF HOURS EXPENDED					TOTAL STAFF HRS	NUMBER OF INSPECTIONS COMPLETED						AVG. HOURS PER COMPL.	# LICENSES IN PROGRAM CODE
			FY 95 STAFF HRS	FY 96 STAFF HRS	FY 97 STAFF HRS	FY 98 STAFF HRS	FY 99 STAFF HRS		FY95 INSPECT COMPL.	FY96 INSPECT COMPL.	FY97 INSPECT COMPL.	FY98 INSPECT COMPL.	FY99 INSPECT COMPL.	TOTAL COMPL.		
		INSPECTIONS	2618.5	1884.2	2369.0	2002.0	1786.6	10660.3	168	130	128	123	118	667	18.0	368
3N	03219	DECONTAMINATION SERVICES INSPECTIONS	169.5	308.5	575.0	96.0	41.0	1190.0	4	4	7	4	2	21	56.7	5
3N	03225	OTHER SERVICES INSPECTIONS	614.3	647.7	574.9	364.3	398.9	2600.1	42	46	37	27	27	179	14.5	71
TOTAL 3N		INSPECTIONS	783.8	956.2	1,149.9	460.3	439.9	3790.1	46	50	44	31	29	200	19.0	76
3O	03310	INDUSTRIAL RADIOGRAPHY FIXED LOCATION INSPECTIONS	494.0	479.5	227.1	497.5	139.0	1837.1	34	26	15	28	12	115	16.0	16
3O	03320	INDUSTRIAL RADIOGRAPHY TEMP JOB SITES INSPECTIONS	4109.8	3232.6	3041.9	3575.5	3332.0	17291.8	161	130	117	148	122	678	25.5	109
TOTAL 3O		INSPECTIONS	4,603.8	3,712.1	3,269.0	4,073.0	3,471.0	19128.9	195	156	132	176	134	793	24.1	125
3P	02400	VETERINARY NONHUMAN INSPECTIONS	91.0	174.0	307.5	80.4	62.5	715.4	5	9	7	9	5	35	20.4	19
3P	02410	IN VITRO TESTING LABORATORIES INSPECTIONS	222.5	532.0	283.0	186.5	94.4	1318.4	17	32	17	16	7	89	14.8	45
3P	03120	MEASURING SYSTEMS FIXED GAUGES INSPECTIONS	2056.6	2730.0	3191.5	1971.1	1826.1	11775.3	137	210	214	146	128	835	14.1	482
3P	03121	MEASURING SYSTEMS PORTABLE GAUGES INSPECTIONS	4908.9	3985.8	7177.6	5395.3	5139.7	26607.3	296	294	460	373	362	1785	14.9	1089
3P	03122	MEASURING SYSTEMS ANALYTICAL INSTRUMENTS INSPECTIONS	115.3	110.8	96.5	44.8	32.5	399.9	15	8	7	3	3	36	11.1	31
3P	03123	MEASURING SYSTEMS GAS CHROMATOGRAPHS INSPECTIONS	247.0	179.9	360.0	182.0	65.0	1033.9	24	20	20	11	6	81	12.8	100
3P	03124	MEASURING SYSTEMS OTHER INSPECTIONS	233.7	159.5	614.5	216.0	296.5	1520.2	12	10	13	6	14	55	27.6	30
3P	03220	LEAK TEST SERVICE ONLY INSPECTIONS	9.5	18.0	23.0	58.5	46.5	155.5	2	3	2	3	3	13	12.0	3
3P	03221	INSTRUMENT CALIB. SERVICE ONLY < 100 CI INSPECTIONS	151.0	121.4	131.5	48.0	123.0	574.9	11	10	9	5	8	43	13.4	21
10,3B,3P	22130	MANUFACTURING & DIST. OTHER INSPECTIONS	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
3P	03222	INSTRUMENT CALIB. SERVICE ONLY > 100 CI INSPECTIONS	101.5	125.5	87.0	15.0	29.0	358.0	6	5	4	2	4	21	17.0	9
3P	03800	BYPRODUCT MATERIAL POSSESSION ONLY INSPECTIONS	510.5	652.5	1009.2	565.0	540.0	3277.2	35	49	43	11	29	167	19.6	36
3P	03810	BYPRODUCT MATERIAL STANDBY INSPECTIONS	0.0	0.0	0.0	7.5	45.0	52.5	0	0	0	1	4	5	10.5	4
TOTAL 3P		INSPECTIONS	8,647.5	8,789.4	13,281.3	8,770.1	8,300.2	47,788.5	560	650	796	586	573	3165	15.1	1869

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			FY 95 STAFF HRS	FY 96 STAFF HRS	FY 97 STAFF HRS	FY 98 STAFF HRS	FY 99 STAFF HRS		FY95 INSPECT COMPL.	FY96 INSPECT COMPL.	FY97 INSPECT COMPL.	FY98 INSPECT COMPL.	FY99 INSPECT COMPL.	TOTAL COMPL.		
<b>4B</b>	03234	WSTE DISPSL SRVC PROCSNG AND/OR REPCKGNG INSPECTIONS	259.5	113.8	150.0	230.0	105.0	858.3	9	8	9	7	5	38	22.6	6
<b>4C</b>	03232	WASTE DISPOSAL SERVICE PREPACKAGE ONLY INSPECTIONS	131.5	163.0	80.5	18.5	40.5	434.0	5	5	3	1	3	17	25.5	5
<b>5A</b>	03110	WELL LOGGING BYPRODUCT/SNM TRACER & SS INSPECTIONS	562.6	599.7	764.5	360.0	249.5	2536.3	13	14	28	18	11	84	30.2	14
<b>5A</b>	03111	WELL LOGGING BYPRODUCT/SNM SEALED S ONLY INSPECTIONS	174.0	255.9	390.6	282.5	290.7	1393.7	9	15	22	11	16	73	19.1	22
<b>5A</b>	03112	WELL LOGGING BYPRODUCT ONLY-TRACERS ONLY INSPECTIONS	25.0	94.7	0.0	0.0	16.0	135.7	0	2	0	0	1	3	45.2	3
<b>TOTAL 5A</b>		<b>INSPECTIONS</b>	<b>761.6</b>	<b>950.3</b>	<b>1,155.1</b>	<b>642.5</b>	<b>556.2</b>	<b>4065.7</b>	<b>22</b>	<b>31</b>	<b>50</b>	<b>29</b>	<b>28</b>	<b>160</b>	<b>25.4</b>	<b>39</b>
<b>6A</b>	03218	NUCLEAR LAUNDRY INSPECTIONS	83.0	76.6	296.2	20.0	48.0	523.8	2	5	3	1	3	14	37.4	3
<b>7A</b>	02300	TELETHERAPY INSPECTIONS	1644.6	732.0	672.7	777.0	470.0	4296.3	90	28	28	34	17	197	21.8	24
<b>7A</b>	02310	STEREOTACTIC RADIOSURGERY - GAMMA KNIFE INSPECTIONS	0.0	0.0	0.0	57.5	173.5	231.0	0	0	0	4	8	12	19.3	12
<b>7A</b>		<b>INSPECTIONS</b>	<b>1,644.6</b>	<b>732.0</b>	<b>672.7</b>	<b>834.5</b>	<b>643.5</b>	<b>4527.3</b>	<b>90</b>	<b>28</b>	<b>28</b>	<b>38</b>	<b>25</b>	<b>209</b>	<b>21.7</b>	<b>36</b>
<b>7B</b>	02110	MEDICAL INSTITUTION BROAD INSPECTIONS	6341.2	7633.5	6303.8	6442.1	4651.6	31372.2	115	118	106	113	92	544	57.7	75
<b>7C</b>	02120	MEDICAL INSTITUTION OTHER GROUP (LIMITED) INSPECTIONS	8138.9	9007.1	9150.3	5900.1	5252.5	37448.9	409	489	417	280	270	1865	20.1	774
<b>7C</b>	02121	MEDICAL INSTITUTION OTHER NONGROUP (CUSTOM) INSPECTIONS	817.0	211.0	288.8	1094.5	456.0	2867.3	40	15	22	71	37	185	15.5	130
<b>7C</b>	02200	MEDICAL PRIVATE PRACTICE GROUP (LIMITED) INSPECTIONS	1040.8	1740.3	958.5	590.0	941.8	5271.4	54	114	64	48	59	339	15.5	131
<b>7C</b>	02201	MEDICAL PRIVATE PRACTICE NONGROUP (CUSTOM) INSPECTIONS	704.2	984.5	1269.7	1501.1	1110.2	5569.7	55	62	81	115	96	409	13.6	315
<b>7C</b>	02210	EYE APPLICATORS STRONTIUM-90 INSPECTIONS	65.0	852.0	638.0	651.0	292.0	2498.0	6	22	9	20	9	66	37.8	20
<b>7C</b>	02220	MOBILE NUCLEAR MEDICINE SERVICE INSPECTIONS	444.5	439.7	326.7	517.5	414.0	2142.4	21	28	17	27	22	115	18.6	40
<b>7C</b>	02230	HIGH DOSE RATE REMOTE AFTERLOADER INSPECTIONS	2819.3	3052.9	3206.0	2971.4	2392.4	14442.0	98	110	104	99	99	510	28.3	118

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			FY 95 STAFF HRS	FY 96 STAFF HRS	FY 97 STAFF HRS	FY 98 STAFF HRS	FY 99 STAFF HRS	TOTAL STAFF HRS	FY95 INSPECT COMPL.	FY96 INSPECT COMPL.	FY97 INSPECT COMPL.	FY98 INSPECT COMPL.	FY99 INSPECT COMPL.	TOTAL COMPL.		
7C	02231	MOBILE HIGH DOSE RATE REMOTE AFTERLOADER INSPECTIONS	0.0	0.0	0.0	0.0	37.0	37.0	0	0	0	0	2	2	18.5	3
7C	02240	MOBILE THERAPY INSPECTIONS	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0	0.0	0
7C	22160	PACEMAKER BYPRODUCT AND/OR SNM MED INST. INSPECTIONS	0.0	18.5	118.5	101.0	309.8	547.8	0	5	6	9	11	31	17.7	28
TOTAL 7C		INSPECTIONS	14,029.7	16,306.0	15,956.5	13,326.6	11,205.7	70,824.5	683	845	720	869	605	3522	20.1	1559
5A	03710	CIVIL DEFENSE INSPECTIONS	116.0	111.6	48.8	20.0	0.0	296.4	8	6	3	1	0	18	16.5	8

**NOTES:**

1. The staffhours were derived from the Regulatory Information Tracking Systems (RITS) based on Licensing Tracking System (LTS) program codes and RITS inspection program element codes.
2. The number of inspections completed for FY95, FY96, FY97, FY98, and FY99 was taken directly from IRTS.
3. Number of licenses in each Program Code as shown in LTS Report 5A dated 10/02/00.



## DETERMINATION OF GENERAL LICENSE REGISTRATION FEE

FY 2001

NOTE: FTE and Contract Costs are based on FY 2001 budgeted costs

FY 2001 FTE Rate:

\$144

FTE:	6.3
Contract Costs:	\$283,000
Total Costs (FTE * FTE Rate + Contract Costs)	\$1,917,041
Number Registrants Subject to Fee	4300
Fee	\$446
<b>Registration Fee rounded</b>	<b>\$450</b>

**From:** Binesh K Tharakan  
**To:** Jackson, Glenda  
**Date:** Tue, Dec 12, 2000 3:18 PM  
**Subject:** Re: Fwd: Status of Final Rule-Part 31 (GL Registration)

I was not involved with the fee discussion, but here is some current information about GLTS.

There will be approximately 4800<sup>\*</sup> registrations in the first year. The estimated resources include approximately \$12,000 in supplies and 4400 technical staff hours.

Those are the best guesses I can give you. Hope this helps.

>>> Glenda Jackson 12/12 2:54 PM >>>

I understand you might be able to provide the information requested in my e-mail to C. Mattsen, attached. I need to know updated estimates of the resource requirements for the registration program once the first round is completed. Any help you can provide would be appreciated.

*\* used 4300 to allow for non-profit educational institutions (fee exempt)*

**From:** Catherine Mattsen  
**To:** Carol Abbott, Glenda Jackson  
**Date:** Mon, May 8, 2000 4:47 PM  
**Subject:** Table of resources for registration program

When Mike Raddatz updated the resource table for registration, he did not eliminate the extraneous information from the attachment which as not relevant. Also, some of the other numbers in the table may not be up-to-date. Here's a simple table giving just that information that was used in the calculation of the fee. These resources are for the registration population only (now estimated at 4300) and not the entire GL budget.

Averaging the resources over this 3 year period and using \$253,450/FTE, we would now calculate: \$440.

**CC:** Diane Dandois, Josephine Piccone, Patricia Holah...

avg 6.3 FTE  
\$223 RS

Implementation of Registration Program:	FY 2002		FY2003		FY2004	
	FTE	\$K	FTE	\$K	FTE	\$K
- Registration Mailings/Data Input/Initial Follow-up	2	300 <sup>1</sup>	2	275 <sup>1</sup>	2	275 <sup>1</sup>
- NRC Follow-up Inspections	5	0	5	0	3	0

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<sup>1</sup>These figures have been adjusted to reflect a proration of the total program costs which would be recovered by fees for the registration portion of the General License Program.

**DETERMINATION OF EXPORT AND IMPORT PART 170 FEES\***  
**FY 2001**

**FY2001 Materials Hourly Rate: 144**

<b>Export and Import Part 170 Fees Category</b>	<b>FY 2001 Professional Process Time (Hours)</b>	<b>FY 2001 Fee Professional Process Time x FY 2001 Hourly Rate</b>	<b>FY 2001 Fee (Rounded)**</b>
<b>10 CFR 170.21, Category K</b>			
<b>Subcategory</b>			
1	65	9,353	9,400
2	38	5,468	5,500
3	12	1,727	1,700
4	8	1,151	1,200
5	1.5	216	220
<b>10 CFR 170.31, Category 15</b>			
<b>Subcategory</b>			
A	65	9,353	9,400
B	38	5,468	5,500
C	12	1,727	1,700
D	8	1,151	1,200
E	1.5	216	220

**NOTES:**

\* The application fees and amendment fees are the same for each subcategory because, per discussion with IP representatives, the processing time is the same for a new license or an amendment to the license.

\*\* Rounding: <\$1000 rounded to nearest \$10,

=or>\$1000 and <\$100,000 rounded to nearest \$100,

=or>\$100,000 rounded to nearest \$1,000



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

October 27, 2000

*Jim*

MEMORANDUM TO: Jesse L. Funches  
Chief Financial Officer

FROM: Janice Dunn Lee, Director  
Office of International Programs

SUBJECT: BIENNIAL REVIEW OF FEES

*Janice Dunn Lee*

This responds to your August 25, 2000, request.

Based on an analysis of FY 1999-2000 licensing data and interviews with licensing staff, we have concluded that no changes are required at this time in the schedule of fees for import-export licensing. Our findings are summarized below:

Part 170.21 Category K and Part 170.31 Category 15, "Import and Export Licenses"

1. Subcategories K.1. and 15.A. (Commission Review)

About 5% of the export/import license applications filed with NRC over the last two years required review and approval by the Commission. The number of hours of direct NRC staff effort (OIP, NMSS\*, OGC) required to review and process such applications varied widely from case to case depending on the complexity of the underlying issues, intervention petitions, decisions to hold public meetings, etc. However, the 50-hour estimate used currently and in past years for these license applications is still a good average number for fee-collection purposes. Recommendation: No change.

2. Subcategories K.2. and 15.B. (Executive Branch Review)

About 15% of the export/import license cases the last two years required Executive Branch (EB) review and recommendations. The direct NRC staff effort required to review and process these cases continued to average about 30 hours each. \*  
Recommendation: No change.

3. Subcategories K.3. and 15. C. (Recipient Government Assurances)

About 48% of the export/import license cases required foreign government assurances (but did not require Commission or EB review). The NRC direct staff effort expended in reviewing and processing such applications averaged between 10 and 15 hours per case.

Recommendation: No change.

90  
3:06  
PM  
10 OCT 31 1999

\* per discussion w/ Ron Hanker, IP,  
NMSS' hours should be added  
See e-mail dated 3/7/01, G. Jackson to  
C. Meigh for NMSS hours for items 1+2.

4. Subcategories K.4. and 15.D. (OIP Staff Review Only)

About 14% of the cases required only OIP staff review and processing. On average, the direct staff effort expended in such cases was less than 10-hours per case.

Recommendation: No change.

5. Subcategories K.5 and 15. E. (Minor amendment)

About 18% of the cases were of this type, often involving minimal OIP effort (~1.5 hours/case).

Recommendation: No change.

We intend to continue to monitor our import-export licensing activities and may have adjustments to propose at the time of the next biennial review.

cc: OGC  
NMSS

**From:** Glenda Jackson  
**To:** Charles Emeigh  
**Date:** 3/7/01 7:47AM  
**Subject:** Average time for export/import licenses

Chuck,

This is to confirm that, based on our conversation yesterday, NMSS's average time (currently 15 hours) has not changed related to applications for import or export licenses which must be reviewed by the Commissioners and the Executive Branch (for example, actions under 10 CFR 110.40(b); and NMSS's average time (currently 10 hours) related to applications for import or export licenses requiring Executive Branch review but not Commissioner review should be decreased to 8 hours average. I plan to use this information for purposes of the CFO ACT requirement to review fees biennially, and as part of the FY 2001 proposed fee rule, unless I hear from you otherwise. Thanks for your help!!!

**CC:** Claudia Seelig; dbd; Elizabeth Suarez



**DETERMINATION OF RECIPROCITY PART 170 FEES\***  
**FY 2001**

**NOTES:**

The reciprocity application and revision fees are determined using FY 1995 data\*, and the FY 2001 hourly rate.

The reciprocity application fee includes average costs for inspections, average costs for processing initial filings of NRC Form 241, and average costs for processing revisions to the initial filings of NRC Form 241.

**Average inspection costs:**

Reciprocity Part 170 Fee Category	Inspection Fee Assessed	Total Amount Collected
<b>Gauge Users (3P)</b>	\$1,500	
Number of FY 1993 Inspections Conducted	10	
Number of FY 1994 Inspections Conducted	19	
Total	29	\$43,500
<b>Radiography (3O)</b>	\$3,500	
Number of FY 1993 Inspections Conducted	7	
Number of FY 1994 Inspections Conducted	13	
Total	20	\$70,000
<b>Well Logging (5A)</b>	\$3,600	
Number of FY 1993 Inspections Conducted	2	
Number of FY 1994 Inspections Conducted	4	
Total	6	\$21,600
<b>Other Services (3N)</b>	\$2,400	
Number of FY 1993 Inspections Conducted	3	
Number of FY 1994 Inspections Conducted	6	
Total	9	\$21,600
<b>GRAND TOTAL</b>	64	\$156,700
Average cost per inspection=	\$2,448	(TOTAL INSPECTION FEE ASSESSED/GRAND TOTAL INSPECTIONS)

**Initial Applications (Form 241) Processed by All Regions**

FY 1993	176
FY 1994	189
<b>Total</b>	<b>365</b>

64 inspections conducted/365 initial applications = 18% inspected of those filing initial applications

\$2,448 average cost per inspection  
18% of those filing initial applications  
**\$441** be included in application fee

**Average costs for processing initial filings of NRC Form 241:**

Average hours*	5.6
Hourly rate	\$144
	<b>\$806</b>

**Average cost for revisions to initial filings of NRC Form 241:**

Cost per revision (No change to revision cost per NMSS*)	\$200
No of revisions filed in FY 2000	115
Total Revision fees paid in FY 2000	\$23,000
No. of initial NRC Forms 241 filed in FY 2000	174
Average revision cost per initial NRC Form 241	\$132

**APPLICATION FEE:**

Amount for inspections	\$441
Amount for initial filing of NRC Form 241	\$806
Amount for revisions to initial filing of NRC Form 241	\$132
Total Application Fee	\$1,379
<b>Application Fee Rounded</b>	<b>\$1,400</b>

\* See December 8, 2000, memorandum, William Kane to Jesse Funches



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

December 8, 2000

*79 Jim*

MEMORANDUM TO: Jesse L. Funches  
Chief Financial Officer

FROM : William F. Kane, Director  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: BIENNIAL REVIEW OF FEES

In response to your memorandum of August 25, 2000, the Office of Nuclear Material Safety and Safeguards (NMSS) has reviewed and updated its materials licensing and inspection data. In reviewing and analyzing the data, NMSS looked for anomalies, trends, and performed a reality check, i.e., considering programmatic reasons and management estimates as to the applicable time known to complete different licensing cases. Attachment 1 provides a table which includes new levels of staff effort for each of the flat fee licensing categories for new applications. This attachment also provides a detailed worksheet that supports the table. The worksheet includes direct staff hour expenditures for fiscal years 1995 through 1999 and the case completions for the same period of time. Attachment 2 provides a table and detailed worksheet for the materials inspection fee categories. Also, we note that the vast majority of the materials licenses (approximately 70%), i.e., 3P-Other Byproduct (no change) and 7C-Doctors/Hospitals/Medical Institutions (-9% decrease) showed minimal fluctuation in the data.

Attachment 1 includes several fee categories in which only a few or no licensing actions were completed during the review period. In an effort to keep these categories with a few licensing actions in perspective, NMSS proposes to use several different criteria, which are: 1) used last two years of data most representative of category; 2) new guidance or rule/trend down, used data from last two years; 3) small changes, few cases, not basis for change; 4) limited data in recent years; insufficient basis for changes in numbers; and 5) hearing or other anomaly. Conversely, in the fee categories in which sufficient data are available, i.e., those categories in which 20 or more actions were completed, NMSS suggests that fees be revised based on the new averages. Based on the actual detailed data, NMSS can support the changes and believes the materials licensing fees are reasonably fluctuating over the five-year period.

CONTACT: Elizabeth Jacobs-Baynard, NMSS/PMDA  
301-415-7806

NMSS has the following recommendation regarding Category 10B:

Licensee Fee Category 10B, Part 71 QA Review, shows an increase in the flat fee of 60% which reflects an increase from 2.8 hours to 4.5 hours in the rolling five-year average (1995 - 1999) for hours to complete a review. While a small 1.7 hour increase in the average time to complete a QA review is not a significant matter, we did note that future updates of the flat fee using a rolling five-year average will have significant changes as a result of regulation changes and changes in the types and complexities of QA programs we review. For example, in the earlier years (mid 1990's), the QA reviews were mostly for the plutonium beryllium source recovery programs which only took 1-3 hours per review. Additionally, radiographers primarily were required to apply for a Part 71 QA program approval which required low average hours to review, but that requirement was terminated in 1997. Over the last two years ('98/'99), the QA reviews have focused on the mergers and acquisitions of the reactors and vendors. Although only a few reviews of this kind are performed (4 reviews in 1999), they were time intensive requiring an average of about 40 hours per review. Because the flat fee is based on a rolling five-year average, the average hours to complete a QA review is going to increase rapidly as '95, '96 and '97 data fall off. We will be calculating a 15 to 40 hour average in another couple of years.

Based on the changing nature of the activities in this fee category, NMSS recommends that the small current increase in the new flat fee (increase from 2.8 to 4.5 hours) be accepted.

NMSS analyzed its data with respect to processing of initial filing of Form NRC-241 (reciprocity work by Agreement States licensees in NRC jurisdiction) and the revisions to these filings. The data from the Regulatory Information Tracking System (RITS) showed that the hours charged to initial filings and revisions did not significantly change over the period, i.e., FY 1997 through FY 1999. Staff efforts for this process are recorded by use of the Reciprocity Tracking System (RTS). The RTS has experienced operational problems, and is still not a reliable source to obtain the required information. As other systems are implemented, such as STARFIRE, there may be an opportunity to improve the tracking of this activity. In addition, the staff believes that the \$200 revision fee has been difficult to implement fairly and efficiently, because of the need to distinguish between a "clarification" and a "revision," and the difficulty licensees have in predicting locations of reciprocal job sites. The amount collected for revisions in FY 2000 was relatively low, about \$23,000. Therefore, NMSS suggests that the revision fee be abolished, and the initial filing fee be increased from \$1,200 to about \$1,400. NMSS believes this would simplify the process for reciprocity licensees and NRC staff, while continuing to recover the costs of NRC's reciprocity program from those benefitting from NRC's reciprocity activities. NMSS notes that inspection costs were included in the application fee beginning in FY 1995 as a streamlining measure.

If there are questions related to the biennial review of materials flat fees or additional information is needed, please contact Elizabeth Jacobs-Baynard of my staff.

Attachments: As stated (2)

# HOURLY RATE-FY 2001

## CALCULATION OF STRATEGY RATES:

STRATEGY:	Total No. of FTE:	Total S&B(\$,K):	Strategy Rate (\$)
NUCLEAR REACTOR SAFETY	1424	155,120	108,933
NUCLEAR MATERIAL SAFETY (Excl. NWF & General Fund)	374	39,593	105,864
NWF & General Fund	15	1,603	106,867
NUCLEAR WASTE SAFETY (Excl. NWF & General Fund)	206	22,429	108,879
NWF & General Fund	60.0	6,888	111,467
INT'L NUCLEAR SAFETY & SUPPORT (excl. General Fund)	32	3,486	108,938
General Fund	6	653	108,833
MANAGEMENT AND SUPPORT	614	\$61,820	100,358
General Fund	0	\$0	0
INSPECTOR GENERAL	44	4,270	97,045
TOTAL	2,775	295,462	

## CALCULATION OF OVERHEAD:

STRATEGY:	\$,K	Total FTE	Strategy Rate	Grand Total	Overhead	Grand Total		Surcharge Total		Percent Surcharge	Overhead allocated to surcharge			Remaining Overhead (Overhead less allocation to surcharge)		
						NWF/	Less Overhead	(Surcharge	FTE x Rate+\$)		PGM \$	FTE	Total	PGM \$	FTE	Total
NUCLEAR REACTOR SAFETY	63,286	1424	108,933	218,406,000	56,418,000	General Fund - NWF/Gen fund	161,988,000	1,411,710	0.87%		69,222	3.88	491,678	7,873,778	441.12	55,926,322
NUCLEAR MATERIAL SAFETY (Excl. NWF & General Fund)	11,591	374	105,864	51,184,000	14,685,909		36,498,091	12,331,572	33.79%		741,285	39.87	4,961,913	1,452,715	78.13	9,723,996
NWF & General Fund	944	15	106,867	2,547,000		2,547,000	0	0	0.00%		0	0.00	0	0	0.00	0
NUCLEAR WASTE SAFETY (Excl. NWF & General Fund)	15,193	206	108,879	37,622,000	6,898,083		30,723,917	7,276,167	23.68%		163,882	13.50	1,633,633	528,118	43.50	5,264,450
NWF & General Fund	14,912	60	111,467	21,600,000		21,600,000	0	0	0.00%		0	0.00	0	0	0.00	0
INT'L NUCLEAR SAFETY & SUPPORT (Excl. General fund)	623	32	108,938	4,109,000	1,664,313		2,444,688	2,286,728	93.54%		435,890	10.29	1,556,776	30,110	0.71	107,537
General Fund	0	6.00	108,833	653,000		653,000	0	0	0.00%		0	0.00	0	0	0.00	0
MANAGEMENT AND SUPPORT	84,159	614	100,358	145,779,000	0		145,779,000	232,717	0.16%		0	0.00	0	84,026,000	594.00	143,638,834
General Fund	0	0	0	0		0	0	0	0.00%		0	0.00	0	0	0.00	0
INSPECTOR GENERAL	1,230	44	97,045	5,500,000	0		5,500,000	0	0.00%		0	0.00	0	1,230,000	44.00	5,500,000
TOTAL	191,938	2775		487,400,000	79,666,304	24,800,000	382,933,696	23,538,894			1,410,280	68	8,643,999	95,140,720	1201.47	220,161,139
			NWF&Gen Fund	24,800,000										-M&S/IG		149,138,834
																71,022,305

## ALLOCATION OF Non-DIRECT MANAGEMENT & SUPPORT (M&S) AND INSPECTOR GENERAL (IG):

MANAGEMENT AND SUPPORT	Grand Total \$	
INSPECTOR GENERAL	145,779,000	
	5,500,000	
Total	151,279,000	
Less Reactor Direct M&S	1,806,450	
Less Materials Direct M&S	0	
Less M&S Direct PS \$	101,000	
Less Surcharge Direct M&S	232,717	
Total to Allocate:	149,138,834	
ALLOCATION:		
Direct	(%)	M&S/IG Allocation
Reactors	163,846,603	67.61% 100,836,393
Materials	46,302,570	19.11% 28,496,069
Surcharge	32,182,893	13.28% 19,806,372
Total	242,332,066	100.00% 149,138,834

# REACTORS

	PGM \$,K (Excl. from Hr. Rate)	FTE	STRATEGY RATE	(A) TOTAL
NUCLEAR REACTOR SAFETY				
DIRECT	\$54,676	966.86	108,933	105,322,468
O/H				55,736,185
SURCHARGE				
NUCLEAR MATERIAL SAFETY				
DIRECT	\$1,124	5.82	105,864	616,126
O/H				319,183
SURCHARGE				
NUCLEAR WASTE SAFETY				
DIRECT	\$0	0.30	108,879	32,664
O/H				13,529
SURCHARGE				
INTERNATIONAL NUCLEAR SAFETY & SUPPORT				
DIRECT	\$0	0.00	108,938	0
O/H				0
SURCHARGE				
Subtotal	\$55,800	972.98		162,040,154
=====				
MANAGEMENT AND SUPPORT				
DIRECT	\$101	18.00	100,358	1,806,450
O/H				0
SURCHARGE				
INSPECTOR GENERAL				
DIRECT	\$0	0.00	97,045	0
O/H				0
SURCHARGE				
Total Direct M&S and IG	Subtotal \$101	18.00		1,806,450
Total Reactor Direct & overhead	\$55,901	990.98		163,846,603
Total Allocated M&S/IG				100,836,393
TOTAL	\$55,901	990.98		264,682,996
		Less Offsetting Receipts		94,828
		REACTORS GRAND TOTAL		264,588,168
REACTOR FTE RATE:	\$266,997 (Reactors Grand Total/Reactor total FTE)			
REACTOR HOURLY RATE:	\$150 (Reactor FTE rate/1776 hours)			

Overhead Included in Hourly Rate  
(TOTAL (B) is allocated to the Reactors and Materials Programs  
overhead (O/H) based on the percentage of their Total Direct (A)  
to the REACTOR AND MATERIALS TOTAL DIR (C)

	PGM \$	FTE	TOTAL	REACTOR AND MATERIALS TOTAL DIRECT	Included in Surcharge	Allocated Overhead	Total
	\$7,873,778	441.12	\$55,926,322	\$105,681,764			
					\$1,411,710	\$491,678	\$1,903,388
	\$1,452,715	78.13	\$9,723,996	\$18,770,467			
					\$12,331,572	\$4,961,913	\$17,293,485
	\$528,118	43.50	\$5,264,450	\$12,710,228			
					\$7,276,167	\$1,633,633	\$8,909,800
	\$30,110	0.71	\$107,537	\$157,959			
					\$2,286,728	\$1,556,776	\$3,843,504
	\$9,884,720	563.47	\$71,022,305		Subtotal \$23,306,177	\$8,643,999	\$31,950,176
					\$232,717	\$0	\$232,717
					\$0	\$0	\$0
Total					Total \$23,538,894	\$8,643,999	\$32,182,893
					M&S allocated to surcharge		\$19,806,372
					Less offsetting receipts		\$1,382
					GRAND TOTAL SURCHARGE		\$51,987,883
					Less PS\$		\$43,585,983
					SURCHARGE RATE:		\$308,362

MATERIALS	PGM \$,K	FTE	CC rate	TOTAL
NUCLEAR REACTOR SAFETY				
DIRECT	\$218	3.30	\$108,933	\$359,296
O/H				\$190,138
SURCHARGE				
NUCLEAR MATERIAL SAFETY				
DIRECT	\$4,272	171.49	\$105,864	\$18,154,341
O/H				\$9,404,813
SURCHARGE				
NUCLEAR WASTE SAFETY				
DIRECT	\$10,738	116.44	\$108,879	\$12,677,564
O/H				\$5,250,921
SURCHARGE				
INTERNATIONAL NUCLEAR SAFETY & SUPPORT				
DIRECT	\$0	1.45	\$108,938	\$157,959
O/H				\$107,537
SURCHARGE				
Subtotal	\$15,228	292.67		\$46,302,570
=====				
MANAGEMENT AND SUPPORT				
DIRECT	\$0	0.00	\$100,358	\$0
O/H				\$0
SURCHARGE				
INSPECTOR GENERAL				
DIRECT	\$0	0.00	\$97,045	\$0
O/H				\$0
SURCHARGE				
Total Direct M&S	Subtotal \$0	0		\$0
Total Materials Direct & overhead	\$15,228	292.67		\$46,302,570
Total Allocated M&S				\$28,496,069
	Total \$15,228	292.67		\$74,798,639
			Less Offsetting Receipts	\$2,020
			MATERIALS GRAND TOTAL	\$74,796,619
MATERIALS FTE RATE:	\$255,563	(Materials Grand Total/Materials total FTE)		
MATERIALS HOURLY RATE:	\$144	(Materials FTE Rate/1776 hours)		

//

Summary:

	Reactors	Materials	Surcharge	Direct PS \$	Off Fee Base	TOTAL
Direct Program Salary and Benefits	\$107,777,707	\$31,349,161	\$23,538,894			162,665,762
Overhead	\$56,068,896	\$14,953,409	\$8,643,999			79,666,304
Allocated M&S/IG	\$100,836,393	\$28,496,069	\$19,806,372			<u>149,138,834</u>
TOTAL	\$264,682,996	\$74,798,639	\$51,989,265	71,129,100	24,800,000	487,400,000

FY 2001

ESTIMATED COLLECTIONS  
\$ in Millions  
(All dollar amounts are rounded)

Part 171 Annual Fees

Operating Power Reactors	\$258.7
Spent Fuel Storage/Reactor Decommissioning	32.2
Nonpower Reactors	.3
Fuel Facilities	17.4
Uranium Recovery	1.5
Rare Earth Facilities	.1
Transportation	3.0
Materials Users	<u>18.4</u>
Subtotal Part 171	\$331.6
Part 170 License and Inspection Fees	<u>118.2</u>
Subtotal Parts 171 and 170 Fees	\$449.8
Other Offsetting Receipts/Adjustments	<u>3.5</u>
TOTAL ESTIMATED COLLECTIONS	\$453.3
NWF Appropriation	21.6
General Fund	3.2
2 percent of budget (reduction in fee recovery amount For FY 2001)	<u>9.3</u>
Total Budget Authority	\$487.3





UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 25, 2001

NOTE TO: Glenda C. Jackson  
Assistant for Fee Policy and Rules

FROM: Diane B. Dandois, Chief *Diane B. Dandois*  
License Fee and Accounts Receivable Branch

SUBJECT: ESTIMATED FY 2001 COLLECTIONS - 10 CFR 170

The following is our updated estimate of collections for FY 2001.

<u>Facilities Program</u>	<u>Licensing</u>	<u>Inspection</u>	<u>Total</u>
1. Power Reactors			
Part 55 Operator Exams	\$3.7	_____	\$3.7
OLs under review	.1	_____	.1
Standard Plants	.1	_____	.1
Topicals	2.5	_____	2.5
Part 50 Amendments	33.2	_____	33.2
Part 50 Inspections	-	57.2	57.2
Decommissioning	<u>2.2</u>	<u>1.5</u>	<u>\$3.7</u>
	\$41.8	\$58.7	\$100.5
2. Research Reactors			
	<u>.1</u>	<u>-</u>	<u>.1</u>
Total Facilities	\$41.9	\$58.7	\$100.6

<u>Materials Program</u>	<u>Licensing</u>	<u>Inspection</u>	<u>Total</u>
1. Fuel Facilities	\$3.8	\$2.7	\$6.5
2. Spent Fuel Storage	4.9	.5	5.4
3. Transportation	1.2*	.1	1.3
4. Uranium Recovery	2.5	.3	2.8
5. Rare Earth Facilities	.8	-	.8
6. Materials Program	.4	-	.4
Total Materials	<u>          </u>	<u>          </u>	<u>          </u>
	\$13.6	\$3.6	\$17.2
<u>Other</u>			
1. Export/Import	<u>.4</u>	<u>-</u>	<u>.4</u>
Total Materials	\$14.0	\$3.6	\$17.6
Grand Total	\$55.9	\$62.3	\$118.2

\*Includes .1 estimate for transportation route approvals

FY 2001 DIRECT RESOURCES

	TOTAL		POWER REACTORS		SPENT FUEL STORAGE/ REACTOR DECOMM.		NON-POWER REACTORS		FUEL FACILITY		MATERIALS		TRANSPORTATION		RARE EARTH FACILITIES		URANIUM RECOVERY		OTHER APPLICANTS		INCLUDED IN SURCHARGE	
	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE	\$,K	FTE
NUCLEAR REACTOR SAFETY	63,286	1,424	54,626	966	218	3	50	1	0	0	0	0	0	0	0	0	0	0	0	0	448	9
NUCLEAR MATERIALS SAFETY	11,591	374	1,084	6	725	12	40	0	1,994	70	1,179	67	149	7	0	2	224	14	0	0	4,001	79
NUCLEAR WASTE SAFETY	15,193	206	0	0	9,106	91	0	0	655	4	529	10	366	10	65	1	17	0	0	0	3,763	32
INTERNAT'L NUCLEAR SAFETY & SUPPORT	623	32	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	157	20	
MANAGEMENT AND SUPPORT	84,159	614	101	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	2	
INSPECTOR GENERAL	1,230	44	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SUBTOTAL - FEE BASE RESOURCE	176,082	2694.0	55,811.2	990.0	10,049.8	106.7	90.2	1.0	2,649.1	73.7	1,708.2	77.3	514.9	16.2	65.0	2.9200	240.7	14.3	0.0	1.5	8,401.9	141.3
=====																						

FY 2001 FEE AMOUNTS	320.1	37.3	0.4	21.5	21.5	4.7	0.8112	3.9	0.371	52.0
LESS PART 170 FEES	96.8	9.1	0.1	6.5	0.4	1.3	0.8080	2.8	0.371	
	=	=	=	=	=	=	=	=	=	
PART 171 ANNUAL FEES	223.3	28.2	0.3	15.0	21.1	3.4	0.0	1.1	(0.0)	
% OF BUDGET (EXCL. SURCHARGE, OTHER APPL. & SMALL ENTITY)	79.13%	9.23%	0.09%	5.31%	3.92%	1.15%	0.20%	0.96%	N/A	
Surcharge (including small entity)	38,16388	4.3	0.0	2.6	2.1	0.5	0.1	0.4	N/A	
Part 171 billing adjustments	(2.8)	(0.3)	(0.0)	(0.2)	(0.1)	(0.0)	(0.0)	(0.03)	N/A	
TOTAL FY 2001 ANNUAL FEE	258.7	32.2	0.3	17.4	23.1	3.9	0.0896	1.5	(0.0)	

FTE RATES	
REACTOR PROGRAM =	266,997
MATERIALS PROGRAM =	255,563
SURCHARGE=	308,362
	\$,M
SMALL ENTITY SUBSIDY =	5.6
Total Surcharge (Reflects 2% off the fee base)	48.3
TOTAL PART 171 BILLING ADJUSTMENTS	\$,K
Est. Unpaid FY 2001 Part 171 Bills	3.20
Est. Payments From Prior Year Part 171 Bills	(3.65)
Adjustment for addtl FY 2000 collections	(3.10)
=====	
Total	(3.55)

NOTE: THIS APPENDIX WILL NOT APPEAR IN THE CODE OF FEDERAL REGULATIONS.

APPENDIX A TO THIS FINAL RULE --  
REGULATORY FLEXIBILITY ANALYSIS FOR THE  
AMENDMENTS TO 10 CFR PART 170 (LICENSE FEES) AND  
10 CFR PART 171 (ANNUAL FEES)

I. Background.

The Regulatory Flexibility Act (RFA), as amended, (5 U.S.C. 601 et seq.) requires that agencies consider the impact of their rulemakings on small entities and, consistent with applicable statutes, consider alternatives to minimize these impacts on the businesses, organizations, and government jurisdictions to which they apply.

The NRC has established standards for determining which NRC licensees qualify as small entities (10 CFR 2.801). These size standards reflect the Small Business Administration's most common receipts-based size standards and include a size standard for business concerns that are manufacturing entities. The NRC uses the size standards to reduce the impact of annual fees on small entities by establishing a licensee's eligibility to qualify for a maximum small entity fee. The small entity fee categories in §171.16(c) of this final rule are based on the NRC's size standards.

From FY 1991 through FY 2000, the Omnibus Budget Reconciliation Act (OBRA-90), as amended, required that the NRC recover approximately 100 percent of its budget authority, less appropriations from the Nuclear Waste Fund, by assessing license and annual fees. The FY 2001 Energy and Water Development Appropriations Act amended OBRA-90 to decrease the NRC's fee recovery amount for FY 2001 to 98 percent of the NRC's budget. Certain NRC costs related to reviews and assistance provided to other Federal agencies and States were excluded from the fee recovery requirement for FY 2001 by the Energy and Water Development Appropriations Act. The amount to be recovered for FY 2001 is approximately \$453.3 million.

OBRA-90 requires that the schedule of charges established by rule should fairly and equitably allocate the total amount to be recovered from NRC's licensees and be assessed under the principle that licensees who require the greatest expenditure of agency resources pay the greatest annual charges. Since 1991, the NRC has complied with OBRA-90 by issuing a final rule that amends its fee regulations. These final rules have established the methodology used by NRC in identifying and determining the fees to be assessed and collected in any given fiscal year.

In FY 1995, the NRC announced that, in order to stabilize fees, annual fees would be adjusted only by the percentage change (plus or minus) in NRC's total budget authority, adjusted for changes in estimated collections for 10 CFR Part 170 fees, the number of licensees paying annual fees, and as otherwise needed to assure the billed amounts resulted in the required collections. The NRC indicated that if there were a substantial change in the total NRC budget authority or the magnitude of the budget allocated to a specific class of licensees, the annual fee base would be recalculated.

In FY 1999, the NRC concluded that there had been significant changes in the allocation of agency resources among the various classes of licensees and established rebaselined annual fees for FY 1999. The NRC stated in the final FY 1999 rule that to stabilize fees it would continue to adjust the annual fees by the percent change method established in FY 1995, unless there were a substantial change in the total NRC budget or the magnitude of the budget allocated to a specific class of licensees, in which case the annual fee base would be reestablished.

After carefully considering all factors, including the changes to the amount of the budget allocated to classes of licensees, and weighing the complex issues related to both fairness and stability of fees, the Commission has determined that it is appropriate to rebase its Part 171 annual fees in FY 2001. This rebaselining results in reduced annual fees for a majority of the categories of licenses, and increased annual fees for other categories.

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) is intended to reduce regulatory burdens imposed by Federal agencies on small businesses, nonprofit organizations, and governmental jurisdictions. SBREFA also provides Congress with the opportunity to review agency rules before they go into effect. Under this legislation, the NRC annual fee rule is considered a "major" rule and must be reviewed by Congress and the Comptroller General before the rule becomes effective. SBREFA also requires that an agency prepare a guide to assist small entities in complying with each rule for which a final regulatory flexibility analysis is prepared. This Regulatory Flexibility Analysis (RFA) and the small entity compliance guide (Attachment 1) have been prepared for the FY 2001 fee rule as required by law.

## II. Impact on small entities.

The fee rule results in substantial fees being charged to those individuals, organizations, and companies that are licensed by the NRC, including those licensed under the NRC materials program. The comments received on previous proposed fee rules and the small entity certifications received in response to previous proposed fee rules indicate that NRC licensees qualifying as small entities under the NRC's size standards are primarily materials licensees. Therefore, this analysis will focus on the economic impact of the annual fees on materials licensees. About 20 percent of these licensees (approximately 1,400 licensees for FY 2000) have requested small entity certification in the past.

The commenters on previous fee rulemakings consistently indicated that the following results would occur if the proposed annual fees were not modified.

1. Large firms would gain an unfair competitive advantage over small entities. Commenters noted that small and very small companies ("mom and pop" operations) would find it more difficult to absorb the annual fee than a large corporation or a high-volume type of operation. In competitive markets, such as soils testing, annual fees would put small licensees at an extreme competitive disadvantage with their much larger competitors because the proposed fees would be the same for a two-person licensee as for a large firm with thousands of employees.

2. Some firms would be forced to cancel their licenses. A licensee with receipts of less than \$500,000 per year stated that the proposed rule would, in effect, force it to relinquish its soil density gauge and license, thereby reducing its ability to do its work effectively. Other licensees, especially well-loggers, noted that the increased fees would force small businesses to get rid of the materials license altogether. Commenters stated that the proposed rule would result in about 10 percent of the well-logging licensees terminating their licenses immediately and approximately 25 percent terminating their licenses before the next annual assessment.

3. Some companies would go out of business. One commenter noted that the proposal would put it, and several other small companies, out of business, or, at the very least, make it hard to survive.

4. Some companies would have budget problems. Many medical licensees noted that, along with reduced reimbursements, the proposed increase of the existing fees and the introduction of additional fees would significantly affect their budgets. Others noted that, in view of the cuts by Medicare and other third party carriers, the fees would produce a hardship and some facilities would experience a great deal of difficulty in meeting this additional burden.

Since annual fees for materials licenses were first established in 1991, approximately 3,000 license, approval, and registration terminations have been requested. Although some of these terminations were requested because the license was no longer needed or licenses or registrations could be combined, indications are that other termination requests were due to the economic impact of the fees.

To alleviate the significant impact of the annual fees on a substantial number of small entities, the NRC considered the following alternatives in accordance with the RFA as it developed each of its fee rules since 1991.

1. Base fees on some measure of the amount of radioactivity possessed by the licensee (e.g., number of sources).
2. Base fees on the frequency of use of the licensed radioactive material (e.g., volume of patients).
3. Base fees on the NRC size standards for small entities.

The NRC has reexamined its previous evaluations of these alternatives and continues to believe that establishment of a maximum fee for small entities is the most appropriate and effective option for reducing the impact of its fees on small entities.

### III. Maximum Fee

The RFA and its implementing guidance do not provide specific guidelines on what constitutes a significant economic impact on a small entity. Therefore, the NRC has no benchmark to assist it in determining the amount or the percent of gross receipts that should be

charged to a small entity. In developing the maximum small entity annual fee in FY 1991, the NRC examined its 10 CFR Part 170 licensing and inspection fees and Agreement State fees for those fee categories which were expected to have a substantial number of small entities. Six Agreement States--Washington, Texas, Illinois, Nebraska, New York, and Utah, were used as benchmarks in the establishment of the maximum small entity annual fee in 1991. Because small entities in those Agreement States were paying the fees, the NRC concluded that these fees did not have a significant impact on a substantial number of small entities. Therefore, those fees were considered a useful benchmark in establishing the NRC maximum small entity annual fee.

The NRC maximum small entity fee was established as an annual fee only. In addition to the annual fee, NRC small entity licensees were required to pay amendment, renewal and inspection fees. In setting the small entity annual fee, NRC ensured that the total amount small entities paid annually would not exceed the maximum paid in the six benchmark Agreement States.

Of the six benchmark states, the maximum Agreement State fee of \$3,800 in Washington was used as the ceiling for the total fees. Thus the NRC's small entity fee was developed to ensure that the total fees paid by NRC small entities would not exceed \$3,800. Given the NRC's 1991 fee structure for inspections, amendments, and renewals, a small entity annual fee established at \$1,800 allowed the total fee (small entity annual fee plus yearly average for inspections, amendments and renewal fees) for all categories to fall under the \$3,800 ceiling.

In 1992, the NRC introduced a second, lower tier to the small entity fee in response to concerns that the \$1,800 fee, when added to the license and inspection fees, still imposed a significant impact on small entities with relatively low gross annual receipts. For purposes of the annual fee, each small entity size standard was divided into an upper and lower tier. Small entity licensees in the upper tier continued to pay an annual fee of \$1,800 while those in the lower tier paid an annual fee of \$400.

Based on the changes that had occurred since FY 1991, the NRC re-analyzed its maximum small entity annual fees in FY 2000 and determined that the small entity fees should be increased by 25 percent to reflect the increase in the average fees paid by other materials licensees since FY 1991, as well as changes in the fee structure for materials licensees. The structure of the fees that NRC charged to its materials licensees changed during the period between 1991 and 1999. Costs for materials license inspections, renewals, and amendments, which were previously recovered through Part 170 fees for services, are now included in the Part 171 annual fees assessed to materials licensees. As a result of the re-analysis, the maximum small entity annual fee was increased from \$1,800 to \$2,300 in FY 2000. By increasing the maximum annual fee for small entities from \$1,800 to \$2,300, the annual fee for many small entities was reduced while at the same time materials licensees, including small entities, would pay for most of the costs attributable to them. The costs not recovered from small entities are allocated to other materials licensees and to power reactors.

While reducing the impact on many small entities, the NRC determined that the maximum annual fee of \$2,300 for small entities may continue to have a significant impact on materials licensees with annual gross receipts in the thousands of dollars range. Therefore, the NRC

continued to provide a lower-tier small entity annual fee for small entities with relatively low gross annual receipts, and for manufacturing concerns and educational institutions not State or publicly supported, with less than 35 employees. The NRC also increased the lower tier small entity fee by the same percentage increase to the maximum small entity annual fee. This 25 percent increase resulted in the lower tier small entity fee increasing from \$400 to \$500 in FY 2000.

In the FY 2000 fee rule (65 FR 36946; June 12, 2000), the NRC stated that it would re-examine small entity fees each year that annual fees are rebaselined. Accordingly, the NRC has re-examined the small entity fees, and does not believe that a change to the small entity fees is warranted for FY 2001. The revision to the small entity fees in FY 2000 was the first change to the fees since they were introduced in FY 1991 and FY 1992. The revised fees were based on the 25 percent increase in average total fees assessed to other materials licensees since the small entity fees were first established and changes that had occurred in the fee structure for materials licensees over time. The NRC does not consider the approximately 13 percent decrease in the average FY 2001 fees for other licensees to be significant enough to warrant another change to the small entity fees this year.

Unlike the annual fees assessed to other licensees, the small entity fees are not designed to recover the agency costs associated with particular licensees. Rather, they are designed to provide some fee relief for qualifying small entity licensees while at the same time recovering from those licensees some of the agency's costs for activities that benefit them. The costs not recovered from small entities must be recovered from other licensees. The current small entity fees of \$500 and \$2,300 provide considerable relief to many small entities.

The NRC has declined to adopt the suggestion of one commenter on the FY 2001 proposed fee rule that the NRC establish additional tiers of annual fees for small entities to further reduce the license fee burden on smaller entities. Reductions in the fees for small entities must be paid by other NRC licensees in order to meet the requirements of OBRA-90, as amended, that NRC must recover most of its budget through fees. While establishing more tiers would provide additional fee relief for some small entities, it would result in an increase in the small entity subsidy other licensees pay. For FY 2000, approximately 35 percent of the small entities qualifying for reduced annual fees qualified for the lower tier small entity fee. The NRC believes that maintaining a single lower tier annual fee for small entities with relatively low gross annual receipts of less than \$350,000, for small governmental jurisdictions with a population of less than 20,000, and for manufacturing entities that have an average of less than 35 employees continues to provide a further reduction of the impact of the annual fees to a significant number of small entities.

In the future the NRC plans to re-examine the small entity fees every two years, in the same years in which it conducts the biennial review of fees as required by the CFO Act, instead of each year that annual fees are rebaselined as indicated in the FY 2000 fee rule. The annual fees for materials users now include the cost of amendments, renewals, and inspections. However, at a maximum, annual fees are rebaselined every three years, but may be rebaselined earlier if warranted. Therefore, reviewing the small entity fees only when the annual fees are rebaselined results in a variable schedule for the re-examinations and any potential changes to the fees. Re-examining the small entity annual fees every two years, on the same schedule as the biennial review under the CFO Act, provides a routine, predictable schedule and allows



licensees to anticipate when potential changes to these fees might occur. Therefore, the NRC plans to re-examine the small entity fees in FY 2003.

#### IV Summary

The NRC has determined that the 10 CFR Part 171 annual fees significantly impact a substantial number of small entities. A maximum fee for small entities strikes a balance between the requirement to recover 98 percent of the NRC budget and the requirement to consider means of reducing the impact of the fee on small entities. On the basis of its regulatory flexibility analysis, the NRC concludes that a maximum annual fee of \$2,300 for small entities and a lower-tier small entity annual fee of \$500 for small businesses and not-for-profit organizations with gross annual receipts of less than \$350,000, small governmental jurisdictions with a population of less than 20,000, small manufacturing entities that have less than 35 employees, and educational institutions that are not State or publicly supported and have less than 35 employees, reduces the impact on small entities. At the same time, these reduced annual fees are consistent with the objectives of OBRA-90. Thus, the fees for small entities maintain a balance between the objectives of OBRA-90 and the RFA. Therefore, the analysis and conclusions established in the FY 2000 fee rule remain valid for FY 2001.

ATTACHMENT 1 TO APPENDIX A

U. S. Nuclear Regulatory Commission  
Small Entity Compliance Guide  
Fiscal Year 2001

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## Introduction

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) requires all Federal agencies to prepare a written guide for each "major" final rule as defined by the Act. The NRC's fee rule, published annually to comply with the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, is considered a "major" rule under SBREFA. Therefore, in compliance with the law, this compliance guide has been prepared to assist NRC material licensees in complying with the FY 2001 fee rule.

Licensees may use this guide to determine whether they qualify as a small entity under NRC regulations and are eligible to pay reduced FY 2001 annual fees assessed under 10 CFR Part 171. The NRC has established two tiers of separate annual fees for those materials licensees who qualify as small entities under NRC's size standards.

Licensees who meet NRC's size standards for a small entity must submit a completed NRC Form 526 "Certification of Small Entity Status for the Purposes of Annual Fees Imposed Under 10 CFR Part 171" to qualify for the reduced annual fee. Effective with the final FY 2001 fee rule, the NRC will phase out sending NRC Form 526 with each materials license annual fee invoice. This form can be accessed on the NRC's external web site at <http://www.nrc.gov>. The form can then be accessed by selecting "Planning & Financial Management" and then selecting "NRC License Fee Program" and under "Forms" selecting NRC Form 526. Licensees who cannot access the NRC's external web site may obtain NRC Form 526 through the local point of contact listed in the NRC's "Materials Annual Fee Billing Handbook," NUREG/BR-0238, which is enclosed with each annual fee billing. Alternatively, the form may be obtained by calling the fee staff at 301-415-7554, or by e-mailing the fee staff at [fees@nrc.gov](mailto:fees@nrc.gov). The completed form, the appropriate small entity fee, and the payment copy of the invoice should be mailed to the U.S. Nuclear Regulatory Commission, License Fee and Accounts Receivable Branch, to the address indicated on the invoice. Failure to file the NRC small entity certification Form 526 in a timely manner may result in the denial of any refund that might otherwise be due.

## NRC Definition of Small Entity

The NRC has defined a small entity for purposes of compliance with its regulations (10 CFR 2.810) as follows:

1. *Small business*--a for-profit concern that provides a service or a concern not engaged in manufacturing with average gross receipts of \$5 million or less over its last 3 completed fiscal years;
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;
3. *Small organization*--a not-for-profit organization which is independently owned and operated and has annual gross receipts of \$5 million or less;
4. *Small governmental jurisdiction*--a government of a city, county, town, township, village, school district or special district with a population of less than 50,000;

5. *Small educational institution*—an educational institution supported by a qualifying small governmental jurisdiction, or one that is not state or publicly supported and has 500 or fewer employees.<sup>1</sup>

To further assist licensees in determining if they qualify as a small entity, we are providing the following guidelines, which are based on the Small Business Administration regulations.

1. A small business concern is an independently owned and operated entity which is not considered dominant in its field of operations.

2. The number of employees means the total number of employees in the parent company, any subsidiaries and/or affiliates, including both foreign and domestic locations (i.e., not solely the number of employees working for the licensee or conducting NRC licensed activities for the company).

3. Gross annual receipts includes all revenue received or accrued from any source, including receipts of the parent company, any subsidiaries and/or affiliates, and account for both foreign and domestic locations. Receipts include all revenues from sales of products and services, interest, rent, fees, and commissions, from whatever sources derived (i.e., not solely receipts from NRC licensed activities).

4. A licensee who is a subsidiary of a large entity does not qualify as a small entity.

#### NRC Small Entity Fees

In 10 CFR 171.16 (c), the NRC has established two tiers of small entity fees for licensees that qualify under the NRC's size standards. The fees are as follows:

<u>Small Business Not Engaged in Manufacturing and Small Not-For Profit Organizations (Gross Annual Receipts)</u>	<u>Maximum Annual Fee Per Licensed Category</u>
\$350,000 to \$5 million	\$2,300
Less than \$350,000	\$500

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<sup>1</sup> 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.

Manufacturing entities that  
have an average of 500  
employees or less

35 to 500 employees	\$2,300
Less than 35 employees	\$500

Small Governmental Jurisdictions  
(Including publicly supported  
educational institutions)  
(Population)

20,000 to 50,000	\$2,300
Less than 20,000	\$500

Educational Institutions that  
are not State or Publicly  
Supported, and have 500 Employees  
or Less

35 to 500 employees	\$2,300
Less than 35 employees	\$500

To pay a reduced annual fee, a licensee must use NRC Form 526. Effective with the final FY 2001 fee rule, the NRC is phasing out mailing NRC Form 526 with each annual fee invoice issued to materials licensees. Instead, licensees can access this form on the NRC's external web site at <http://www.nrc.gov>. The form can then be accessed by selecting "Planning & Financial Management" and then selecting "NRC License Fee Program" and under "Forms" selecting NRC Form 526. Those licensees that qualify as a "small entity" under the NRC size standards at 10 CFR Part 2.810 would be able to complete the form in accordance with the instructions provided, and submit the completed form and the appropriate payment to the address provided on the invoice. Licensees who cannot access the NRC's external web site may obtain NRC Form 526 through the local point of contact listed in the NRC's "Materials Annual Fee Billing Handbook," NUREG/BR-0238, which is enclosed with each annual fee invoice. Alternatively, licensees may obtain the form by calling the fee staff at 301-415-7544, or by e-mailing us at [fees@nrc.gov](mailto:fees@nrc.gov).

Instructions for Completing NRC Small Entity Form 526

1. File a separate NRC Form 526 for each annual fee invoice received.
2. Complete all items on NRC Form 526 as follows:
  - a. The license number and invoice number must be entered exactly as they appear on the annual fee invoice.
  - b. The Standard Industrial Classification (SIC) Code must be entered if known.

- c. The licensee's name and address must be entered as they appear on the invoice. Name and/or address changes for billing purposes must be annotated on 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. Any request to amend a license is to be submitted to the respective licensing staffs in the NRC Regional or Headquarters Offices.
- d. Check the appropriate size standard for which the licensee qualifies as a small entity. Check only one box. Note the following:
  - (1) A licensee who is a subsidiary of a large entity does not qualify as a small entity.
  - (2) The size standards apply to the licensee, including all parent companies and affiliates -- not the individual authorized users listed in the license or the particular segment of the organization that uses licensed material.
  - (3) Gross annual receipts means all revenue in whatever form received or accrued from whatever sources -- not solely receipts from licensed activities. There are limited exceptions as set forth at 13 CFR 121.104. These are: the term receipts excludes net capital gains or losses; taxes collected for and remitted to a taxing authority if included in gross or total income; proceeds from the transactions between a concern and its domestic or foreign affiliates (if also excluded from gross or total income on a consolidated return filed with the IRS); and amounts collected for another entity by a travel agent, real estate agent, advertising agent, or conference management service provider.
  - (4) The owner of the entity, or an official empowered to act on behalf of the entity, must sign and date the small entity certification.

The NRC sends invoices to its licensees for the full annual fee, even though some entities qualify for reduced fees as a small entity. Licensees who qualify as a small entity and file NRC Form 526, which certifies eligibility for small entity fees, may pay the reduced fee, which for a full year is either \$2,300 or \$500 depending on the size of the entity, for each fee category shown on the invoice. Licensees granted a license during the first six months of the fiscal year, and licensees who file for termination or for a possession only license and permanently cease licensed activities during the first six months of the fiscal year, pay only 50 percent of the annual fee for that year. Such an invoice states the "Amount Billed Represents 50% Proration." This means the amount due from a small entity is not the prorated amount shown on the invoice, but rather one-half of the maximum annual fee shown on NRC Form 526 for the size standard under which the licensee qualifies, resulting in a fee of either \$1150 or \$250 for each fee category billed, instead of the full small entity annual fee of \$2,300 or \$500.

A new small entity form (NRC Form 526) must be filed with the NRC each fiscal year to qualify for reduced fees in that year. Because a licensee's "size," or the size standards, may change from year to year, the invoice reflects the full fee and a new Form 526 must be completed and returned in order for the fee to be reduced to the small entity fee amount. LICENSEES WILL NOT BE ISSUED A NEW INVOICE FOR THE REDUCED AMOUNT. The completed NRC Form 526, the payment of the appropriate small entity fee, and the "Payment Copy" of the invoice should be mailed to the U. S. Nuclear Regulatory Commission, License Fee and Accounts Receivable Branch at the address indicated on the invoice.

If you have questions regarding the NRC's annual fees, please call the license fee staff at 301-415-7554, e-mail the fee staff at [fees@nrc.gov](mailto:fees@nrc.gov), or write to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Office of the Chief Financial Officer.

False certification of small entity status could result in civil sanctions being imposed by the NRC under the Program Fraud Civil Remedies Act, 31 U.S.C. 3801 et. seq. NRC's implementing regulations are found at 10 CFR Part 13.