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PRESS RELEASE ROUTING

HEADLINE: NKC Seeks Comment on Proposal To Amend
Licensing, Inspection & Annual Fees

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(Source: OCFO draft rulemaking package)

NRC SEEKS COMMENT ON PROPOSAL TO AMEND

LICENSING, INSPECTION AND ANNUAL FEES

The Nuclear Regulatory Commission is seeking comment on the proposed fees it charges to licensees for fiscal year 2001.

The agency is ~~legally~~ required to collect nearly all of its ~~operating~~ budget through two types of fees. One type is for NRC services such as licensing and inspection activities. The other is an annual fee paid by all licensees, which recovers general regulatory expenses and other costs not recovered through fees for specific services. These fees are contained in Commission regulations 10 CFR Part 170 (licensing and inspection ^{fees} ~~services~~) and 10 CFR Part 171 (annual fees).

The NRC must recover \$453.3 million for fiscal year (FY) 2001 (October 1, 2000 - September 30, 2001). This does not include \$21.6 million appropriated from the Nuclear Waste Fund for high-level waste activities. Neither does it include \$3.2 million appropriated for NRC's

~~for~~ ^{regulatory reviews and assistance provided to}
~~activities related to selected services to other~~ federal agencies and states. Funding for these activities is excluded from license fee revenues by law. The total amount to be recovered is about \$6.3 million more than last year.

The annual fees proposed by the NRC have been determined under the re-baseline method. The Commission decided to re-baseline annual fees this year after considering all factors, including the changes in the amount of the budget allocated to classes of licensees, and weighing the complex issues related to both fairness and stability of the fees. Re-baselined annual fees would result in reduced annual fees for a majority of licensees, including power reactors, uranium recovery licensees, radiography and broad-scope medical licensees. Annual fees would increase for other categories of licensees, such as fuel-fabrication facilities and distributors of radio-pharmaceuticals.

There is also a \$6 increase over FY 2000 in the hourly labor rate proposed for services performed in the reactor program, and a \$1 increase for services performed in the nuclear materials program. The proposed hourly rates are \$150 for the reactor program activities and \$144 for the nuclear materials program activities.

In accordance with the Regulatory Flexibility Act that requires agencies to consider the impacts of rule changes on small businesses, the NRC reviewed its fees established in FY 2000 for such businesses. It has concluded that a change to the reduced annual fees for small entities is not warranted for this fiscal year.

The proposed FY 2001 annual fees for some licensees are as follows:

<u>Categories of Licensees</u>	<u>FY 2000 Annual Fee</u>	<u>FY 2001 Annual Fee</u>
<i>Operating</i> ^ Power Reactors (including spent fuel storage/reactor decommissioning annual fee)	\$ 2,815,000	\$ 2,809,000
High-enriched Uranium Fuel Facility	3,327,000	3,551,000
Low-enriched Uranium Fuel Facility	1,116,000	1,191,000
Radiographers	14,900	12,500
Broad Scope Medical	28,100	24,200
Distribution of Radiopharmaceuticals	3,800	3,900

Other changes proposed by the NRC include a fee of \$450 to be assessed for each annual registration of generally licensed devices, consistent with the recent revisions to 10 CFR Parts 30, 31 and 32 establishing the registration program. An assessment of the registration fee would begin after the generally licensed devices currently in use are first registered with the agency.

As a streamlining measure, the NRC is proposing to eliminate fees now assessed to Agreement State licensees for revisions they file related to the types and locations of licensed activities they conduct in areas under NRC jurisdiction based on the agency's reciprocity provisions. The fees assessed for the initial applications for reciprocity filed by these Agreement State licensees would increase from \$1,200 to \$1,400 to recover the costs of processing the revisions.

Written comments on the proposed amendments to 10 CFR Parts 170 and 171 of the Commission's regulations should be received within 30 days after publication in the Federal Register. They should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555-0001, ATTN: Rulemakings and Adjudications staff. Comments also may be submitted via the NRC's electronic rulemaking Web site at <http://www.nrc.gov> Select "rulemaking" from the tool bar and then "rulemaking forum."

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