

that are billed on the anniversary date of the license are those covered by fee categories 1C, 1D, 2A(2) Other Facilities, 2A(3), 2A(4), 2B, 2C, 3A through 3P, 4B through 9D, 10A, and 10B.

\*\*\*\*\*

Dated at Rockville, Maryland, this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

For the Nuclear Regulatory Commission.

\_\_\_\_\_  
 Jesse L. Funches,  
 Chief Financial Officer.

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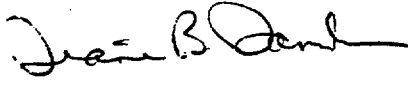
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 24, 2001

MEMORANDUM TO: Multiple Addressees  
(See Attached List)

FROM: Diane B. Dandois, Chief   
License Fee and Accounts Receivable Branch  
Division of Accounting and Finance  
Office of the Chief Financial Officer

SUBJECT: FINAL NOTICE OF RULEMAKING -- 10 CFR PARTS 170  
AND 171 -- FEE RECOVERY FOR FY 2001

Attached for your concurrence is a final rule for the FY 2001 fees to be assessed to recover 98 percent of the NRC's FY 2001 budget authority. In order to meet the requirements to assess and collect the fees by September 30, 2001, this final rule must be published by June 15, 2001.

Please note that in order to meet the expedited schedule for this final rule, we are providing each addressee a separate concurrence copy. Please provide your concurrence as quickly as possible, but no later than Noon, Wednesday, May 30, 2001.

If you cannot meet this schedule or have any questions, please contact Glenda Jackson on 415-6057. Thank you for your assistance in this matter.

Attachment: As stated

cc: D. Lee, OIG  
H. Bell, OIG  
S. Reiter, OCIO  
B. Hayden, OPA

CFO —  
Please Note Change  
at yellow TAB

Addressees - Memorandum dated May 24, 2001

SUBJECT: FINAL NOTICE OF RULEMAKING – 10 CFR PARTS 170 AND 171 –  
FEE RECOVERY FOR FY 2001

Mail Stop:

William D. Travers, Executive Director for Operations	O-16	E15
Janice D. Lee, Director, Office of International Programs	O-4	E5
Paul Lohaus, Director, State and Tribal Programs	O-3	C10
Michael L. Springer, Director, Office of Administration	T-7	D57
Trip Rothschild, Deputy Assistant General Counsel/ Legislative Counsel, Office of the General Counsel	O-15	D21
Marty Virgilio, Director, Office of Nuclear Material Safety and Safeguards	T-8	A23
Samuel J. Collins, Director, Office of Nuclear Reactor Regulation	O-5	E7

Government services, provides that new cost accounting systems do not need to be established solely for the purpose of determining or estimating full cost.

C. Specific Part 171 Issues.

A. Fee Exemption for Educational Institutions.

*Comment.* One college holding an NRC materials license commented that the proposed fee rule would represent a major financial burden to the college, and they would have to consider terminating their license. The commenter requested that NRC provide a fee exemption for small colleges and universities.

*Response.* The NRC has not changed the existing fee exemptions for nonprofit educational institutions. The Part 170 and Part 171 fee exemptions for nonprofit educational institutions were not shown in the proposed rule for public comment because only sections of a regulation that are being considered for change in a proposed rulemaking are published in the Federal Register as part of the rulemaking process.

As provided in 10 CFR 170.11(a)(4) and 10 CFR 171.11(a)(1), fees are not required for a license applied for by, or issued to, a nonprofit educational institution. Therefore, most colleges and universities will continue to be exempt from Part 170 and Part 171 fees. However, the fee exemptions do not apply to those licenses which authorize human use, remunerated services to other persons, distribution of byproduct, source, or special nuclear materials or products