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NRC

### III. Final Action

The NRC is amending its licensing, inspection, and annual fees to recover approximately 98 percent of its FY 2001 budget authority, including the budget authority for its Office of the Inspector General, less the appropriations received from the NWF and the General Fund. The NRC's total budget authority for FY 2001 is <sup>487.5</sup> \$487.4 million, of which \$21.6 million has been appropriated from the NWF. In addition, \$3.2 million has been appropriated from the General Fund for activities related to regulatory reviews and assistance provided to other Federal agencies and States. Based on the 98 percent fee recovery requirement, the NRC must collect approximately \$453.3 million in FY 2001 through Part 170 licensing and inspection fees, Part 171 annual fees, and other offsetting receipts. The total amount to be recovered through fees and other offsetting receipts for FY 2001 is \$6.3 million more than the amount estimated for recovery in FY 2000; however, the FY 2001 fee recovery amount is further reduced by a \$3.1 million carryover from additional collections in FY 2000 that were unanticipated at the time the final FY 2000 fee rule was published. This leaves approximately \$450.2 million to be recovered in FY 2001 through Part 170 licensing and inspection fees, Part 171 annual fees, and other offsetting receipts.

The NRC estimates that approximately \$112.1 million will be recovered in FY 2001 from Part 170 fees and other offsetting receipts. The NRC also estimates a net adjustment for FY 2001 of approximately \$0.4 million for payments received in FY 2001 for FY 2000 invoices. The remaining \$337.7 million would be recovered through the Part 171 annual fees, compared to \$341.0 million for FY 2000.

Table I summarizes the budget and fee recovery amounts for FY 2001.

TABLE I - Budget and Fee Recovery Amounts for FY 2001

[Dollars in Millions]

Total Budget Authority	\$487.4
Less NWF	- 21.6 ✓
Less General Fund	- <u>3.2</u> ✓
	\$462.6 <sup>487.365</sup> 462.5
	<u>x 98.0%</u>
Total Amount to be Recovered For FY 2001	\$453.3
Less Carryover from FY 2000	- <u>3.1</u>
Amount to be Recovered Through Fees and Other Receipts	\$450.2
Less Estimated Part 170 Fees and Other Receipts	- <u>112.1</u>
Part 171 Fee Collections Required	\$338.1
Part 171 Billing Adjustments	

Unpaid FY 2001 Invoices (estimated)	3.2
Less Payments Received in FY 2001 for Prior Year Invoices (estimated)	<u>- 3.6</u>
Subtotal	- 0.4
Adjusted Part 171 Collections Required	\$337.7

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For FYs 1991 through 2000, OBRA-90, as amended, required that the NRC recover approximately 100 percent of its budget authority, less the amount appropriated from the U.S. Department of Energy (DOE) administered Nuclear Waste Fund (NWF), by assessing fees. To address fairness and equity concerns raised by the NRC related to charging NRC license holders for agency expenses that do not provide a direct benefit to the licensee, the FY 2001 Energy and Water Development Appropriations Act amended OBRA-90 to decrease the NRC's fee recovery amount from 100 percent to 98 percent of the NRC's budget authority in FY 2001. The OBRA-90 amendment further decreases the fee recovery amount by an additional two percent per year beginning in FY 2002 until the fee recovery amount is 90 percent by FY 2005. In addition to the 2 percent reduction to the fee recovery amount, \$3.2 million has been appropriated from the General Fund for activities related to regulatory reviews and assistance provided to other Federal agencies and States. The FY 2001 Energy and Water Development Appropriations Act states that this  $\sqrt{3.2}$  million shall be excluded from license fee revenues. The total amount to be recovered for FY 2001 is approximately \$453.3 million.