

June 24, 2002

The Honorable Harry Reid, Chairman  
Subcommittee on Transportation, Infrastructure  
and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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

Enclosed is a copy of the final rule which is being transmitted to the *Federal Register* for publication. The final rule will become effective 60 days after publication.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Final Revision to  
10 CFR Parts 170 and 171

cc: Senator James M. Inhofe

June 24, 2002

The Honorable Joe Barton, Chairman  
Subcommittee Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Office of Congressional Affairs

Enclosure: Final Revision to  
10 CFR Parts 170 and 171

cc: Representative Rick Boucher

June 24, 2002

The Honorable Harry Reid, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Dennis K. Rathbun, Director  
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Enclosure: Final Revision to  
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cc: Senator Pete V. Domenici

June 24, 2002

The Honorable Sonny Callahan, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Sincerely,

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Jesse L. Funches  
Chief Financial Officer

Enclosure: Final Revision to  
10 CFR Parts 170 and 171

cc: Representative Peter J. Visclosky

June 24, 2002

The Honorable Jim Nussle, Chairman  
Committee on the Budget  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Office of Congressional Affairs

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cc: Representative John M. Spratt, Jr.

June 24, 2002

The Honorable Kent Conrad, Chairman  
Committee on the Budget  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Final Revision to  
10 CFR Parts 170 and 171

cc: Senator Pete V. Domenici

June 24, 2002

The Honorable James M. Jeffords, Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Final Revision to  
10 CFR Parts 170 and 171

cc: Senator Bob Smith

June 24, 2002

The Honorable W. J. "Billy" Tauzin, Chairman  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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

The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Enclosure: Final Revision to  
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cc: Representative John D. Dingell



June 24, 2002

The Honorable Sonny Callahan, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 96 percent of its FY 2002 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$479.5 million in FY 2002.

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The final amendments to 10 CFR Part 171 will establish the amount of the FY 2002 annual fees to be assessed to reactor licensees, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2002 annual fees will increase for most of the categories of licensees, including operating power reactors. The increases are primarily due to increased budgeted costs to be recovered through fees for FY 2002. However, the annual fees will decrease for some licensees due primarily to decreased budgeted costs for those specific classes.

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Jesse L. Funches  
Chief Financial Officer

Enclosure: Final Revision to  
10 CFR Parts 170 and 171

cc: Representative Peter J. Visclosky

Distribution:

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**IDENTICAL LETTERS SENT TO:**

The Honorable Harry Reid, Chairman  
Subcommittee on Transportation, Infrastructure  
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Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

cc: Senator James M. Inhofe

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Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

cc: Representative Rick Boucher

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United States Senate  
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