March 10, 1999

Document # 10

MEMORANDUM TO: Jesse L. Funches
Chief Financial Officer

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: PARTIAL STAFF REQUIREMENTS - SECY-99-053 -FY 1999 FEE RULE

The Commission has approved publication of the FY 1999 Fee Rule with Options A (rebaselining) and Option C (rebaselining with a cap) presented in an equal manner for public comment. Specific comments should also be sought on whether the NRC should continue to use the percent change method and rebaseline fees every several years, as established in the FY 1995 Fee Rule, or return to a policy of rebaselining fees every year, or every few years as circumstances require. To give the Commission maximum flexibility this year and in future years, the FY 1999 Fee Rule should not indicate a preference to rebaseline (Option A), rebaseline with a cap (Option C), or to use the percent change method next year or in future years. In the Statement of Consideration discussion of the hourly rate increase, the staff should be forthright in acknowledging the coding error which occurred last year. As soon as the proposed rule is ready for publication, a press release should be issued to announce its availability on NRC's external home page. The nine classes of licensees most affected by the proposed rulemaking should also be made aware of the rule's availability through expedited means.

(CFO) (SECY Suspense: 3/23/99)

The Chief Financial Officer should brief the Commission offices on public comments received on the rule.

(CFO) (SECY Suspense: 5/12/99)

After evaluating public comments on Options A and C, the Commission will provide its decision on which option, or variation thereof should be incorporated in the final rule.

As part of the Planning, Budgeting and Performance Management process the staff should thoroughly review the programs in NMSS to identify process efficiencies and potential resource savings, especially savings that can be gained as more states become Agreement States.