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To: jxt
Date: 7/25/01 9 07AM
Subject: Paragraph for Advanced Reactor Commission Paper

See attached WP file for suggested input.

B/jst

Fees for advanced reactors

The fees applicable to advanced reactors are Part 170 fees for services, and Part 171 annual fees.

Part 170 fees are applicable to applicants and potential applicants for, and holders of, an NRC license. Part 170 recover the NRC's costs for specific services rendered to the identifiable applicants and licensees, including pre-application activities, reviews of applications, inspections (pre- and post-licensing), full cost recovery for Project Managers, and mandatory hearings.

Part 171 annual fees are applicable once an operating license is issued. These fees recover the NRC's costs for generic activities and other costs not recovered through Part 170 fees. For reactors, Part 171 currently only applies to licenses issued under Part 50. The next annual fee Commission paper will address licenses issued under Part 52.

Costs for generic rulemaking, guidance development, and most research activities are not chargeable as Part 170 fees to specific applicants and licensees. The costs for these activities are recovered through Part 171 annual fees assessed to current licensees.

Issues

Excelon has requested estimates of the annual fees that will be assessed for the Pebble Bed Modular Reactors. Until policy decisions are made and the necessary generic activities are identified for this type of reactor, we are unable to provide Excelon with this information. This issue may also surface with other modular-type reactors.