

March 31, 2003

The Honorable George V. Voinovich, Chairman  
Subcommittee on Clean Air, Climate Change,  
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 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Senator Thomas R. Carper

March 31, 2003

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

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Representative Rick Boucher

March 31, 2003

The Honorable Pete V. Domenici, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Senator Harry Reid

March 31, 2003

The Honorable James M. Inhofe, Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Senator James M. Jeffords

March 31, 2003

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

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Representative John Dingell

March 31, 2003

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 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Representative John M. Spratt, Jr.

March 31, 2003

The Honorable Don Nickles, 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 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Senator Kent Conrad

March 31, 2003

The Honorable David L. Hobson, 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 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

*/RA/*  
Jesse L. Funches  
Chief Financial Officer

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Representative Peter J. Visclosky

March 31, 2003

The Honorable George V. Voinovich, Chairman  
Subcommittee on Clean Air, Climate Change,  
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 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,  
*/RA/*

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Senator Thomas R. Carper

Distribution:

OCA/RF                                   OCFO/DAF/LFARB RF  
OCFO/RF                               OCFO/DAF RF (DAF 1-000)  
OCFO/SF                               OCFO/DAF SF (LF-1.30)

**IDENTICAL LETTERS SENT TO ATTACHED LIST**

G:\DAF\LFARB\Fee Policy\2003P\_CONGRESSIONAL LTRS.WPD

(To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy.

OFFICE	OCFO/DAF/LFARB	OCFO/D/DAF	DCFO	CFO	OCA
NAME	ANorris/GCJackson/DDandois	CTurner	PJRabideau	JLFuncnes	DKRathbun
DATE	02/26/03	02/26/03	03/03/03	03/27/03	03/31/03

March 31, 2003

The Honorable David L. Hobson, 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 94 percent of its FY 2003 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$526.3 million in FY 2003.

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

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2003 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 2003 proposed annual fees would increase for many of the categories of licensees, including operating power reactors. These increases are primarily due to increased budgeted costs to be recovered through fees for FY 2003. However, the proposed annual fees would decrease for other 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 proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,  
*/RA/*  
Jesse L. Funches  
Chief Financial Officer

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171

cc: Representative Peter J. Visclosky

Distribution:

OCA/RF                                   OCFO/DAF/LFARB RF  
OCFO/RF                                OCFO/DAF RF (DAF 1-000)  
OCFO/SF                                OCFO/DAF SF (LF-1.30)

**IDENTICAL LETTERS SENT TO ATTACHED LIST**

G:\DAF\LFARB\Fee Policy\2003P\_CONGRESSIONAL LTRS.WPD

\*See previous concurrence

(To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy.

OFFICE	OCFO/DAF/LFARB	OCFO/DAF/LFARB	OCFO/DAF	DCFO	OCA	CFO
NAME	ANorris/GCJackson	DDandois	CLTurner	PJRabideau	LEPortner	JFunches
DATE	02/26/03	02/26/03	02/29/03	03/26/03	03/31/03	03/27/03

**IDENTICAL LETTERS SENT TO:**

The Honorable George V. Voinovich, Chairman  
Subcommittee on Clean Air, Climate Change, and  
Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

cc: Senator Thomas R. Carper

---

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

cc: Representative Rick Boucher

---

The Honorable Pete V. Domenici, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

cc: Senator Harry Reid

---

The Honorable David L. Hobson, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

cc: Representative Peter J. Visclosky

---

The Honorable James M. Inhofe, Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

cc: Senator James M. Jeffords

---

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

cc: Representative John Dingell

---

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

cc: Representative John M. Spratt, Jr.

---

The Honorable Don Nickles, Chairman  
Committee on the Budget  
United States Senate  
Washington, DC 20510

cc: Senator Kent Conrad