

April 9, 2003

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA, WISCONSIN

DRAFT RULE -- FEE RECOVERY FOR FISCAL YEAR 2003 (STP-03- 030)

The U.S. Nuclear Regulatory Commission (NRC) would like to inform the Agreement States of a proposed rulemaking to modify 10 CFR Parts 170 and 171 regarding the licensing, inspection, and annual fees to recover approximately 94 percent of its fiscal year (FY) 2003 budget authority. The amendments are necessary in order to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which mandates that NRC recover through fees approximately 94 percent of its FY 2003 budget authority, less the amount appropriated from the Department of Energy administered Nuclear Waste Fund. The proposed rule would modify the fees assessed to those Agreement States licensees who perform work in Non-Agreement States under the reciprocity provisions of 10 CFR 150.20. The proposed rule was published in the *Federal Register* on April 3, 2003 (68 FR 16374). The *Federal Register* notice (FRN) requests comments by May 5, 2003.

The proposed rule was sent to each State under separate cover, with a memorandum summarizing the proposed changes. The proposed rule was also made available on the NRC web site (http://ruleforum.llnl.gov/cgi-bin/rulemake?source=FY03fee_prule&st=prule). The reciprocity fee can be found at the end of the Schedule of Materials Fees on page 16387 of the April 3, 2003 FRN. NRC has changed the reciprocity fee from \$1400 to \$1500 for FY 2003.

Please inform your licensees of the proposed fee rule and how they can access it. If you have any questions regarding this notice, please contact the individual listed below.

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STP-03-030

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