

PROPOSED ISSUANCE DATE:

4/19

11:35

PRESS RELEASE CONCURRENCEHEADLINE: MRC Amends Licensing, Inspection &  
Annual Fees Rule

	PRINTED REVIEWER NAME	OFFICE	INITIALS	DATE
<input type="checkbox"/>	Hayden	OPA	BH DM	4/1
<input type="checkbox"/>	Ann Norris	OCFO	TC Sec 410	4-2-04 9:34
<input type="checkbox"/>	Jesse Funches	OCFO	Subst to 410	4/9/04 ✓ 4/12/04 2:20 DM
<input type="checkbox"/>				
<input type="checkbox"/>				
<input checked="" type="checkbox"/>	W Dean	EDO	WUD	4/12/04 - some comments and suggested enhancement - 5:15 PM.
<input checked="" type="checkbox"/>	B Hayden	OPA	BH	4/13 DM
<input checked="" type="checkbox"/>	R. Davis	CHRMN	RD	4/19 10:00 AM

OPA Contact: But Jasinski or Dave McIntyre 8200 (Call for pickup)

SIGNIFY ANY SPECIAL ACTION OR ISSUANCE THAT IS REQUIRED BEFORE PRESS RELEASE GOES OUT:

Rule sent to FR

**D R A F T**

(Source: Final Rule and SECY-03-0194 )

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**NRC AMENDS LICENSING, INSPECTION AND ANNUAL FEES RULE**

The Nuclear Regulatory Commission is amending its regulations for the licensing, inspection and annual fees it charges applicants and licensees for Fiscal Year (FY) 2004.

The agency is required to collect nearly all of its annual appropriated budget through two types of fees. One is for specific NRC services, such as licensing and inspection activities, that apply to a specific license. The other is an annual fee paid by all licensees, which recovers generic regulatory expenses and other costs not recovered through fees for specific services. These fees are contained in Commission regulations 10 CFR Part 170 (fees for licensing and inspection services) and 10 CFR Part 171 (annual fees).

By law, the NRC must recover \$545.3 million, which represents 92 percent of its budget for FY 2004 (October 1, 2003 - September 30, 2004) less the \$32.9 million appropriated from the Nuclear Waste Fund for high-level waste activities. The amount to be recovered in FY 2004 includes \$51.1 million appropriated for NRC's activities related to homeland security. The total amount to be

recovered is about \$19 million more than last year, which will fund increases in resources for homeland security activities, operating reactor license renewals and new reactor licensing.

The annual fees have been determined under the "re-baselining" method. The Commission decided to re-baseline annual fees this year based on the changes in the total budget and the magnitude of the budget allocated to certain classes of licensees. Re-baselined annual fees will result in increased annual fees compared to FY 2003 fees for three classes of licensees (power reactors, rare earth mills and transportation) and decreased annual fees for three classes (spent fuel storage/reactor decommissioning, non-power reactors, and fuel facilities).

Finally, in two classes, material users and uranium recovery, annual fees for most categories of licensees will decrease.

The FY 2004 annual fees include the following representative classes/categories of licensees:

<u>Class/Category of Licensees</u>	<u>FY 2004 Annual Fee</u>
Power Reactors	\$3,283,000
(Including spent fuel storage/reactor decommissioning annual fee)	
Rare Earth Mills	\$157,600
Transportation-Approvals	\$91,300
(Users and Fabricators)	
Spent Fuel Storage/Reactor Decommissioning	\$203,000
Non-Power Reactors	\$62,500

High-enriched Uranium Fuel Facility	\$4,573,000
Low-enriched Uranium Fuel Facility	\$1,533,000
Uranium Recovery (Conventional Mills)	\$14,500
Radiographers	\$11,900
Broad Scope Medical	\$25,000
Distribution of Radiopharmaceuticals	\$4,500
Certain Gauge Users	\$2,500

A copy of the final rule will be published in the *Federal Register* in the near future. The proposed rule was published February 2, with a request for public comment. The agency received 14 comments, which are summarized, along with the agency's responses, in the upcoming *Federal Register* notice.

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

OFFICE OF THE  
CHAIRMAN

MEMORANDUM TO: Elizabeth Hayden, Acting Director  
Office of Public Affairs

FROM: Maria Lopez-Otin  
Executive Assistant/Chief of Staff

SUBJECT: PRESS RELEASE CONCURRENCE

The Chairman has concurred in the text of the attached press release(s). However, prior to issuing this text to the public, you are requested to confirm with appropriate staff that all special actions or companion document releases associated with this PR have already been carried out. Please indicate in the space provided below the name of the person contacted to confirm actions necessary for release of the PR and return this form to the Office of the Chairman.

NRC AMENDS LICENSING, INSPECTION AND ANNUAL FEES RULE

Date: \_\_\_\_\_

Name of person contacted \_\_\_\_\_ Telephone \_\_\_\_\_

Office and Title \_\_\_\_\_