

From: Ann Norris
To: SFC@nrc.gov,
Date: 3/25/04 6:46PM
Subject: Re: FY 2004 Fee Rule Changes

Thanks. I added the language.

<<< Steven Crockett 3/25 5:21p >>>
Yes.

>>> Ann Norris 03/25/04 12:48PM >>>
Steve - are you referring to the Power Reactor response?? Thanks, Ann

>>> Steven Crockett 03/25/04 12:14PM >>>
Shelly/Cathy may want to chime in, but, except for one of these changes to our changes, they look alright to me. The one I'm concerned about is the sentence we (I) added to the first paragraph of the response. I still think the response needs to remind readers of the legal constraints. We charge according to costs, and that's what OBRA tells us to do.

>>> Ann Norris 03/25/04 11:12AM >>>
Shelly/Cathy:

Thank you for your comments on the fee rule. I have made many of your changes and provided the following explanations as to why I didn't make some of your changes. If you would like to discuss these with me, please feel free to contact me.

Page 1: OBRA-90, as amended. Throughout the document, we discuss OBRA-90 and OBRA-90, as amended because in some places we refer to the original OBRA-90 law and in other places we discuss the amended law. We feel that it is best to leave it as it is currently stated in the rule.

Page 11: Power Reactor response changes. NRR provided comments to us regarding this section and we removed the entire 1st paragraph. They felt that our original response was not directly responsive and there was a lot of unnecessary language included. We did not add your language since the 1st paragraph was removed.

Page 12: You requested that we clarify what we meant by "...relative to the size of the annual fee...." We added "per reactor" to the end of the sentence. In addition, you added a sentence "Costs do not vary significantly among reactors whose licensed thermal power fractions vary." We did not include this sentence because in accordance with 171.11(c), we have given exemptions for reactors based on factors such as size. We did add a sentence to the end of this section to that effect.

Page 24: Import/Export language - you asked if we could summarize the changes briefly. OIP modified the language for all of the categories. I don't know that we would be able to summarize the changes so that it would be understandable to the reader. I ran the original language by OIP when we were writing the proposed rule and they approved it.

Page 44: Master Materials License. We actually thought about this when we were writing the proposed rule and decided that there were too many categories to list and it would be too confusing to discuss the different categories. There are more than medical categories affected by the MML. For example, the irradiation/self-shielded, byproduct material, and decontamination categories were also affected by the MML. That said, we did not make the suggested change.

I think I covered everything, please let me know if you have any questions.

Thanks,
Ann