

February 23, 2005

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA

PROPOSED RULE -- FEE RECOVERY FOR FISCAL YEAR 2005 (STP-05- 016)

This is to inform you that the U.S. Nuclear Regulatory Commission (NRC) has published a proposed rule to modify 10 CFR Parts 170 and 171 regarding the licensing, inspection, and annual fees to recover approximately 90 percent of its fiscal year (FY) 2005 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 90 percent of its FY 2005 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 February 22, 2005 (70 FR 8678). The *Federal Register* notice (FRN) requests comments by March 24, 2005.

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=fee05_prule&st=prule). The reciprocity fee can be found at the end of the Schedule of Materials Fees on page 8694 of the February 22, 2005 FRN. The reciprocity fee is to be raised from \$1500 for FY 2004 to \$1800 for FY 2005.

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.

POINT OF CONTACT: Tammy Croote
TELEPHONE: (301) 415-6041

INTERNET: TXC1@nrc.gov
FAX: (301) 415-5387

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

STP-04-016

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