

Summary of Changes in FY 2005 Proposed Fee Rule

Part 170 Changes:

1. **Revised hourly rates of \$205 for Reactors, \$198 for materials** (see discussion beginning pg 9). Rates increase significantly based on new estimate of direct hours per FTE (now 1,446, vs. 1,776 previously. This issue was also discussed in SECY-04-0220.)
2. **Revise 'flat' license application fees** based on new hourly rate and biennial review (see discussion beginning pg 14). These 'flat' Part 170 fees are listed on pp 55-70. I have a table comparing to FY04 flat fees if anyone wants a copy).
3. **Revise §§170.21 and 170.31 to provide that part 170 fees will be assessed for any licensee-specific activity resulting from orders issued by the Commission not related to civil penalties or other civil sanctions** (pp 16-17);
4. **Revise §§170.02 and 170.31 to provide that part 170 fees will be assessed for any licensee-specific activities associated with unlicensed sites in decommissioning conducted under NRC oversight** (pp 17-18);
5. **Revise §170.11 to clarify that certain fee waivers need to be requested from, and granted by, the CFO in writing** (pg 18);
6. **Apply the existing policy at §170.12 of full cost recovery for project managers to license renewal project managers** (pp 18-19) ; and,
7. **Make fee categories and numbering consistent between Parts 170 and 171.**

Part 171 Changes:

1. **Establish rebaselined annual fees for FY 2005; discussion in rule begins pg 21.**
 Surcharge—pp 24-27
 Fuel Facilities—pp 27-30
 Uranium recovery—pp 30-34
 Power Reactors—pg 34
 Spent Fuel/reactor decom—pp 34-35
 Test and research reactors—pg 35
 Rare earth—pp 35-36
 Materials Users—pp 36-37
 Transportation—pp 37-38
2. **Retain the current reduced fees of \$2,300 and \$500 for small entities** (pp 38-39);
3. **Agreement state activities discussed** (pp 39-40);
4. **Modify §171.11 to eliminate 'size of reactor' as a consideration in evaluating annual fee exemption requests** (pg 40);

5. Eliminate reference to specific facility names under Category 1.A of §171.16, and make other admin amendments (42-42).