



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC PROPOSES TO AMEND LICENSING, INSPECTION AND ANNUAL FEES RULE

The Nuclear Regulatory Commission is proposing to amend its regulations for the licensing, inspection and annual fees it charges applicants and licensees for fiscal year (FY) 2006.

The agency is required by Congress to recover for the U.S. Treasury 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; this fee is calculated using an hourly rate reflecting time spent by staff performing the service. The other is an annual fee paid by licensees, which recovers generic regulatory expenses and other costs not recovered through fees for specific services. These fees are contained in NRC regulations 10 CFR Part 170 (fees for licensing and inspection services) and 10 CFR Part 171 (annual fees). These fees are paid to the U.S. Treasury and go into the general fund.

By law, the NRC must recover through fees 90 percent of its budget for FY 2006 (Oct. 1, 2005 - Sept. 30, 2006), less the amount appropriated from the Nuclear Waste Fund for high-level waste activities and appropriated from general funds for waste-incident-to-reprocessing activities. The total amount to be recovered in FY 2006 is approximately \$624 million, about \$83 million more than in FY 2005.

Under the proposed rule, the hourly rates for assessing Part 170 fees would increase from \$205 to \$217 for the Nuclear Reactor Safety Program, and from \$197 to \$215 for the Nuclear Materials and Waste Safety Program. The NRC will also begin charging federal agencies Part 170 fees in accordance with its new authority under the Energy Policy Act of 2005, though certain federally owned research and test reactors will remain exempt from these fees.

The proposed FY 2006 annual fees include the following:

<u>Class/category of licenses</u>	<u>FY 2006 Annual fee</u>
Operating Power Reactors (including Spent Fuel Storage/Reactor Decommissioning)	\$3,655,000
Spent Fuel Storage/Reactor Decommissioning	\$168,000
Test and Research Reactors (Nonpower Reactors)	\$76,300
High Enriched Uranium Fuel Facility	\$5,579,000
Low Enriched Uranium Fuel Facility	\$1,643,000
UF ₆ Conversion Facility	\$1,076,000

Rare Earth Mills	\$97,900
Typical Materials Users:	
Radiographers	\$15,300
Well Loggers	\$4,700
Gauge Users (Category 3P)	\$2,900

The proposed rule was published today in the *Federal Register*. Written comments on the proposed fee changes should be received by March 13. They should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, ATTN: Rulemakings and Adjudications Staff. Comments may also be submitted by e-mail to SECY@nrc.gov , faxed to (301) 415-1011, or submitted online via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov> .

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**FY 2006 Proposed Fee Rule Regulatory History Documents
RIN #3150-AH83**

(template not needed for regulatory history documents)

#	Date	Title	Accession #
1	02/10/2006	NRC NEWS; Press release on FY 2006 Proposed Fee Rule	MI061110305
2	02/10/2006	Notice to All Agreement States, Minnesota, Pennsylvania, and Virginia informing them about the publication of the FY 2006 Proposed Fee Rule	ML060410667
3	02/10/2006	Memo to OSTP on Proposed Rule- Fee Recovery-Fiscal Year 2006	ML060410204
4	02/07/2006	Congressional letters re: NRC's FY 2006 Proposed Fee Rule	ML060310668
5	02/06/2006	FY 2006 Fee Recovery Proposed Rule; 10 CFR 170 and 171 workpapers	ML060370025
6	02/02/2006	Memo from Doris Mendiola to notify. advocacy@sba.gov re: Proposed Rule - Fee Rule - AH83	ML060340147
7	01/31/2006	Proposed Rule for Revision of Fee Schedules, fee Recovery for FY 2006	ML060310631
8	01/31/2006	Approved for Publication Memo signed by CFO	ML060320313
9	01/31/2006	Memo from M. Givvines to OMB on publication of the FY 2006 proposed fee rule	ML060330316
10	01/26/2006	Notice to Licensees re NRC's proposed FY 2006 Fee Rule	ML060520538
11	02/18/1997	Delegation of Authority to CFO to promulgate proposed and final rules that do not involve significant policy issues	ML003751215