

June 18, 2007

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA

FINAL RULE -- FEE RECOVERY FOR FISCAL YEAR 2007 (FSME-07-059)

Purpose: This is to inform you that the U.S. Nuclear Regulatory Commission (NRC) has published a final 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) 2007 budget authority.

Background: 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 2007 budget authority, less the amount appropriated from the Nuclear Waste Fund and for Waste Incidental to Reprocessing activities and generic homeland security activities. The final rule modifies the fees assessed to those Agreement State licensees who perform work in Non-Agreement States under the reciprocity provisions of 10 CFR 150.20. The final rule was published in the *Federal Register* (FR) on June 6, 2007 (72 FR 31401) and the effective date of the rule is August 6, 2007. The reciprocity fee can be found as Category 16 in the 10 CFR 170.31, Schedule of Materials Fees, on page 31425 of the June 6, 2007 FR notice. The fee decreased from \$1,900 for FY 2006 to \$1,500 for FY 2007. Please inform your licensees of the final fee rule and how they can access it.

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. The NRC does not plan to routinely mail the FY 2007 final fee rule or future final fee rules as a cost saving measure. In addition to publication in the FR, the final rule is available on the Internet at: <http://ruleforum.llnl.gov/cgi-bin/rulemake?source=fee07&st=final>. To request a copy contact NRC's fee staff at (301) 415-7554, by e-mail at: fees@nrc.gov, or by writing to the Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

NRC Point of Contact: If you have any questions regarding this notice, please contact Renu Suri, Office of the Chief Financial Officer, telephone (301) 415-0161, fax (301) 415-5387, E-mail, RXS6@nrc.gov.

If you have any questions regarding this correspondence, please contact me or the individual named below.

FSME POINT OF CONTACT: Dennis Sollenberger
TELEPHONE: (301) 415-2819

INTERNET: DMS4@nrc.gov
FAX: (301) 415-3502

/RA/

Janet R. Schlueter, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Distribution: FSME20070339
DMSSA RF
DILR RF
RSuri, OCFO
MGivvines, OCFO

SISP Review Complete

- Publicly Available Non-Publicly Available
- Non-Sensitive Sensitive

ML071710360

OFC	FSME/DMSSA	FSME/DMSSA	FSME/DMSSA
NAME	DSollenberger:tyh	DWhite	JRSchlueter
DATE	06/14/07	06/14/07	06/18/07

OFFICIAL RECORD COPY