

February 7, 2008

Ms. Christine McDonald  
The Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Dear Ms. McDonald:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 90 percent of its Fiscal Year (FY) 2008 budget authority through fees. In order to comply with the law, the Commission is proposing to amend its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 would revise the professional hourly rate and flat license application fees charged to licensees and applicants. The hourly rate used to assess Part 170 fees would decrease to \$238. The proposed rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 would establish the amount of the FY 2008 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. Compared to FY 2007, the proposed FY 2008 annual fees would result in increases for power reactor and non-power reactor fee classes, and decreases for spent fuel storage/reactor decommissioning, fuel facilities, and transportation. Within the uranium recovery fee class, annual fees increase slightly for the U.S. Department of Energy, while all others decrease. The significant factors affecting the changes to Part 171 annual fee amounts are the increase in budgeted resources for new reactor activities, higher revenue estimates for the fee classes under Part 170, and adjustment for greater than expected fee collections in FY 2007.

Enclosed is a copy of the proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

**/RA/**

Mary S. Givvines, Controller  
Office of the Chief Financial Officer

Enclosure:  
As stated

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The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 90 percent of its Fiscal Year (FY) 2008 budget authority through fees. In order to comply with the law, the Commission is proposing to amend its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 would revise the professional hourly rate and flat license application fees charged to licensees and applicants. The hourly rate used to assess Part 170 fees would decrease to \$238. The proposed rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 would establish the amount of the FY 2008 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. Compared to FY 2007, the proposed FY 2008 annual fees would result in increases for power reactor and non-power reactor fee classes, and decreases for spent fuel storage/reactor decommissioning, fuel facilities, and transportation. Within the uranium recovery fee class, annual fees increase slightly for the U.S. Department of Energy, while all others decrease. The significant factors affecting the changes to Part 171 annual fee amounts are the increase in budgeted resources for new reactor activities, higher revenue estimates for the fee classes under Part 170, and adjustment for greater than expected fee collections in FY 2007.

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Distribution:  
R. Suri, OCFO/DFM  
OCFO RF  
OCFO/DFM RF,  
OCA RF

ADAMS: **YES**/NO INITIALS: **RE** SUNSI Review Complete by RErickson on 12/31/07

SENSITIVE/**NON-SENSITIVE** **PUBLIC**/NON-PUBLIC

\*See previous concurrence

DOCUMENT NAME: G:\DFM\Fee Policy Group\Fee Policy\2008 proposed rule et al\2008P OMB letter from DFM.doc

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