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GE-Hitachi Nuclear Energy

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DOCKETED
USNRC

April 1, 2009 (3:13pm)

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MFN-09-219

10 CFR Parts 170 and 171

April 1, 2009

Rulemaking, Directives, and Editing Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Proposed Rule, Revision of Fee Schedules; Fee Recovery for FY 2009,
(74 Fed. Reg. 9129, March 2, 2009, RIN 3150-AI52)

The U.S. Nuclear Regulatory Commission (NRC) published the subject proposed rule regarding revision of NRC fee schedules for Fiscal Year ("FY") 2009. GEH is a member of the Nuclear Energy Institute ("NEI") and endorses the industry comments submitted by NEI in its letter of March 30, 2009. GEH also recommends that the NRC provide a more detailed explanation for the apparent disproportionately high increase in the annual fees for Low-Enriched Uranium Fuel Facilities. Specifically, as noted in the NEI comments, the proposed NRC Part 171 fee recovery is \$544.6 million, which represents a 16% increase over the FY 2008 Part 171 collections of \$468.9 million. The proposed rule explains this increase with the following general statement: "Much of this increase is for reactor renewal activities, new uranium recovery facility applications, and new uranium enrichment facility applications, and materials."

Also as NEI notes in its comments, GEH recognizes that additional fees are necessary to support NRC staffing levels and infrastructure required to license new facilities such as our proposed enrichment facility. However, we would expect the NRC to recover a larger percentage of the increase through hourly fee charges rather than impose increased annual fees for other fuel cycle facilities, such as Low-Enriched Fuel Facilities.

The proposed Low-Enriched Uranium Fuel Facility fee of approximately \$1.7 million represents about an 85% increase in cost to these facilities over the FY 2008 annual

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fees while the stated explanation for the overall annual fee increase appears to be minimally related to the operation of these facilities. An 85% increase in annual fees to these facilities appears disproportionate compared to the overall 16% increase in fees.

Please contact me if you have any questions regarding these comments.

Sincerely,

A handwritten signature in black ink that reads "Patricia L. Campbell". The signature is written in a cursive style with a large initial "P" and "C".

Patricia L. Campbell

Rulemaking Comments

From: Campbell, Patricia L (GE Infra, Energy) [patriciaL.campbell@ge.com]
Sent: Wednesday, April 01, 2009 11:53 AM
To: Rulemaking Comments
Cc: Head, Jerald G (GE Infra, Energy); Milchuck, Kimberly (GE Infra, Energy)
Subject: Comments on NRC Proposed Rule RIN 3150-A152
Attachments: 2009-04-01 GEH comments on Fee Rule.pdf

Please see attached comments.

<<2009-04-01 GEH comments on Fee Rule.pdf>>

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(148.184.200.145) with Microsoft SMTP Server id 8.1.291.1; Wed, 1 Apr 2009
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2009 11:53:19 -0400

Wed, 1 Apr

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X-MS-TNEF-Correlator:

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