

June 9, 2009

The Honorable Thomas R. Carper
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

Enclosed is a copy of the final rule which is being transmitted to the Federal Register for publication. The final rule will become effective 60 days after publication.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Senator David Vitter

June 9, 2009

The Honorable Edward J. Markey
Chairman, Subcommittee on Energy
and Environment
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Representative Fred Upton

June 9, 2009

The Honorable Byron Dorgan
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Rebecca L. Schmidt, Director
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Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Senator Robert F. Bennett

June 9, 2009

The Honorable Barbara Boxer
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

Dear Madam Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Senator James M. Inhofe

June 9, 2009

The Honorable Henry A. Waxman
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Representative Joe Barton

June 9, 2009

The Honorable John M. Spratt, Jr.
Chairman, Committee on the Budget
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Office of Congressional Affairs

Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Representative Paul Ryan

June 9, 2009

The Honorable Kent Conrad
Chairman, Committee on the Budget
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Enclosure:
Proposed Revision to 10 CFR
Parts 170 and 171

cc: Senator Judd Gregg

June 9, 2009

The Honorable Thomas R. Carper
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires the U.S. Nuclear Regulatory Commission (NRC) to recover through fees approximately 90 percent of its fiscal year (FY) 2009 budget authority. The NRC's required fee recovery amount for the FY 2009 budget is approximately \$870.6 million. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$257 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 established the FY 2009 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared to FY 2008, the FY 2009 annual fees increase for the power reactor, non-power reactor, and fuel facilities fee classes, decrease for the spent fuel storage/reactor decommissioning fee class, and remain the same for the transportation fee class. Within the materials users and uranium recovery fee classes, annual fees for most licensees increase, while annual fees for some licensees decrease. The significant factors affecting the changes to annual fee amounts are increases in budgeted resources for reactor license renewal reviews, new license application reviews for uranium enrichment facilities, and to support uranium recovery licensing activities.

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Parts 170 and 171

cc: Senator David Vitter

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IDENTICAL LETTERS SENT TO:

- The Honorable Edward J. Markey with cc: to Representative Fred Upton
- The Honorable Byron Dorgan with cc: Senator Robert F. Bennett
- The Honorable Barbara Boxer with cc: to Senator James M. Inhofe
- The Honorable Henry A. Waxman with cc: to Representative Joe Barton
- The Honorable John M. Spratt with cc: to Representative Paul Ryan
- The Honorable Kent Conrad with cc: to Senator Judd Gregg

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