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Variable Annual Fee Structure for Power Reactors

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Variable Annual Fee Structure for Power Reactors

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OFFICE OF SECRETARY
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ADJUDICATIONS STAFF

Submitter Information

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General Comment

Power Reactors Variable Fees

Q.1. Should the NRC establish a variable annual fee structure based on either the licensed thermal or electric power limits of the power reactor? What variables should be considered in establishing such a fee structure? In particular, should reactors producing process heat be treated the same as reactors producing heat for the generation of electricity? What are the considerations associated with establishing a variable annual fee structure based upon thermal, as opposed to electric power?

A.1. The NRC fee should be based on the actual man hours / cost of regulating a particular style of reactor. So that those with a simple design and inherent safety features needing less regulation and follow up should be charged a smaller amount. If this is not possible, a simple fee based on the thermal output of the reactor or on the electrical output of the reactor is the best structure.

Q.2. If the NRC establishes a variable annual fee structure, what should the ranges be for each group or category of reactors? What criteria should be used to determine the fees for the different groups or categories of reactors (e.g., power level, reactor technology, associated NRC resources)?

A.2. The Fee structure should be a neutral as possible, covering only what is necessary to ensure the health and safety of the public. So, if a particular reactor design is approved and several identical reactors are constructed only

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the needed manpower to ensure conformance to standards should be charged. This will naturally group reactors according to design, favoring those with a simple, inherent safety design that use a reproducible construction. Reactor size would only be considered as it relates to the complexity of the design and the need for complex safety features.

Q.3. Current nuclear power plants use a configuration in which a single large reactor provides the heat to produce electric power. However, future plant concepts may include two or more small to medium sized reactors to provide the heat to power one or more turbines connected to an electric generator. Should a variable annual fee structure account for the potential configurations?

A.3. Yes, a variable annual fee that applies per reactor is best.

Q.4. Current nuclear power plants have one, two or three large reactors located at the same site. Current applications for new reactors could result in up to four large reactors at a single site. However, future plant concepts may have up to twenty (20) reactors (modules) operating at the same site. Should the variable annual fee structure account for this configuration? If so, what are the considerations in establishing such a fee structure?

A.4. Yes, a variable annual fee should consider the site location as one element with the reactor(s) as a second part of the fee. A site could contain not only multiple reactors but perhaps multiple designs as technology improves and develops. If a new reactor design requires a site to include additional safety measures, such as fuel storage, the first reactor of a particular model to be installed on the site would include the fees necessary for the full operation and storage of that model. Later modules added would only need a fee per additional reactor.

Q.5. Currently, each licensed reactor located at the same site is treated as a separate unit for purposes of calculating and assessing the annual fee. However, external stakeholders in the past have suggested that a single comprehensive license be issued for a set of modular reactors located at a single site. The licensee would have substantial flexibility in determining whether and when to construct and operate each reactor module in such a plant. Should the variable annual fee structure account for this reactor licensing concept? If so, what are the considerations in establishing such a fee structure?

A.5. Yes, If a comprehensive list includes the various models of reactors that could be installed at a site this is an advantage. However, new models and styles should be licensed separately if the design has not be previously used at that site to ensure safety measures are adequate.

Q.6. Are there other factors that should be considered in determining the annual fee for power reactors?

A.6. To summarize the above, fees should be charged that are enough to cover the actual needed manpower to ensure the safe operation of the reactors. The simpler the structure is the better but the structure should NOT encourage one design above another. It is not the business / task of the NRC to determine the "winner" in power production but to ensure the operation of Atomic Power in a manor that gives the public great confidence in its safety.

Rulemaking Comments

From: Carol Gallagher
Sent: Tuesday, June 02, 2009 10:48 AM
To: Rulemaking Comments
Subject: Comment letter on Proposed Rule "Variable Annual Fee Structure for Power Reactors"
Attachments: phillips.pdf

Attached for docketing is a comment letter on the above noted proposed rule that I received via the Regulations.gov website on 6/1/09.

Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.79]) by TWMS01.nrc.gov
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To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
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