

March 28, 2011

ALL AGREEMENT STATES, MICHIGAN

PROPOSED RULE - FEE RECOVERY FOR FISCAL YEAR 2011 (**FSME-11-027**)

Purpose: This is to inform you that the U.S. Nuclear Regulatory Commission (NRC) has published a proposed rule for comments to modify Title 10 of the *Code of Federal Regulations* (10 CFR) Parts 170 and 171 regarding the licensing, inspection and annual fees to recover approximately 90 percent of its fiscal year (FY) 2011 budget authority.

Background: The amendments are necessary in order to implement the Omnibus Budget Reconciliation Act of 1990, as amended, which mandates that NRC recover through fees approximately 90 percent of its FY 2011 budget authority, less the amount appropriated from the Nuclear Waste Fund, for Waste Incidental to Reprocessing, and generic homeland security activities. The proposed rule would modify 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 proposed rule was published in the *Federal Register* on March 17, 2011 (Volume 76, Number 52, page 14748-14775). The comment period closes on April 18, 2011.

Discussion: The proposed rule is no longer being printed, but is available on the Federal eRulemaking Portal at: <http://www.Regulations.gov>; and search under Docket ID: NRC-2011-0016-0001. The reciprocity fee can be found at the end of the Schedule of Materials Fees on page 14766 of the March 17, 2011, *Federal Register* notice. The reciprocity fee is to be increased from \$1,900 for FY 2010 to \$2,300 for FY 2011. Please inform your licensees of the proposed fee rule and how they can access it.

If you have any questions regarding this correspondence, please contact me at 301-415-3340, or the individual named below.

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