

March 21, 2011

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 that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

In order to comply with the law, the Commission is proposing to amend its fee regulations. Based on the FY 2011 budget submitted to the Congress, the NRC will recover approximately \$915.3 million in FY 2011. The professional hourly rate would increase to \$273. This rate is used to charge flat license application fees and hourly fees for special benefits to identifiable applicants and licensees.

The FY 2011 annual fees to be assessed to NRC licensees recover costs not recovered through hourly fees. Compared to FY 2010, the proposed FY 2011 annual fees for power reactors and uranium recovery facilities decrease while fees for spent fuel storage facilities, nonpower reactors, fuel facilities, most material users, and Department of Energy's uranium recovery and transportation increase. In FY 2011, the NRC's total fee recovery amount has increased by \$3.1 million from FY 2010. Other factors for fee increases include changes in the allocation of budgeted costs and estimated hourly fee collections for the different classes of licensees.

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/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Rule

cc: Senator John Barrasso

March 21, 2011

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy
and Power
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 that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

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Sincerely,

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Rule

cc: Representative Bobby L. Rush

March 21, 2011

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

Dear Chairman Feinstein:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Rule

cc: Senator Lamar Alexander

March 21, 2011

The Honorable Rodney Frelinghuysen
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Rule

cc: Representative Peter J. Visclosky

March 21, 2011

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 that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

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Enclosure:
Proposed Rule

cc: Senator James M. Inhofe

March 21, 2011

The Honorable Fred Upton
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 that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

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Enclosure:
Proposed Rule

cc: Representative Henry A. Waxman

March 21, 2011

The Honorable Harold Rogers
Chairman, Committee on the Appropriations
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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Enclosure:
Proposed Rule

cc: Representative Norm Dicks

March 21, 2011

The Honorable John Shimkus
Chairman, Subcommittee on Environment
and the Economy
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 that the U.S. Nuclear Regulatory Commission (NRC or the Commission) recover through fees 90 percent of its Fiscal Year (FY) 2011 budget authority, not including amounts appropriated from the Nuclear Waste Fund, amounts appropriated for Waste Incidental to Reprocessing, and amounts for generic homeland security activities. In the absence of a final appropriation, the NRC's FY 2011 proposed fee rule is based on the FY 2011 budget submitted to the Congress to ensure that the required fees are collected by September 30, 2011.

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Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure:
Proposed Rule

cc: Representative Gene Green

March 21, 2011

The Honorable Dan Inouye
Chairman, Senate Appropriations Committee
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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cc: Senator Thad Cochran

IDENTICAL LETTERS SENT TO:

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

cc: Senator John Barrasso

The Honorable Ed Whitfield
Chairman, Subcommittee on Energy
and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

cc: Representative Bobby L. Rush

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

cc: Senator Lamar Alexander

The Honorable Rodney Frelinghuysen
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

cc: Representative Peter J. Visclosky

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Chairman, Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

cc: Senator James M. Inhofe

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cc: Representative Gene Green

Distribution: OCA RF OCFO RF OCFO/DFM RF

ML:110540653

Adams: Yes No Initials: aph SUNSI Review By: AHoward on 2/15/11 Public Non-Sensitive

IDENTICAL LETTERS SENT TO: The Honorable Thomas R. Carper with cc: to Senator John Barrasso, The Honorable Ed Whitfield with cc: to Representative Bobby L. Rush, The Honorable Dianne Feinstein with cc: to Senator Lamar Alexander, The Honorable Rodney Frelinghuysen with cc: to Representative Peter Visclosky The Honorable Barbara Boxer cc: to Senator Jame H. Inhofe, The Honorable Fred Upton with cc: to Henry A. Waxman The Honorable Harold Rogers with cc: to Representative Norman L. Dicks

*See previous concurrence **See email concurrence

OFFICE	OCFO/DOC		OCFO/DOC	N	OCFO/DOC		OCFO/DOC	
NAME	AHoward*		RSuri**		MWilliams*		MKaplan*	
DATE	02/ 24 /11		02/ 24 /11		02/ 25 /11		02/ 25 /11	
OFFICE	OCFO/DOC		DCFO		CFO		OCA	
NAME	RMitchell*		MBrown		JDyer*		RLSchmidt	
DATE	02/ 28 /11		03/ /11		03/ 04 /11		03/21 /11	

OFFICIAL RECORD COPY