

June 30, 2011

ALL AGREEMENT STATES, MICHIGAN

FINAL RULE—FEE RECOVERY FOR FISCAL YEAR 2011 (**FSME-11-062**)

Purpose: This letter is to inform you that the U.S. Nuclear Regulatory Commission (NRC) has published a final rule 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 (OBRA-90), 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, and amounts appropriated for Waste Incidental to Reprocessing activities and generic homeland security activities. The final rule modifies 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 final rule was published in the *Federal Register* (FR) on June 22, 2011, (76 FR 36779), and the effective date of the rule is August 22, 2011. The reciprocity fee can be found as Category 16 in the 10 CFR 170.31, Schedule of Materials Fees, on page 36797 of the June 22, 2011, FR notice. The fee increased from \$1900 for FY 2010 to \$2300 for FY 2011. Please inform your licensees of the final fee rule and how they can access it.

Discussion: A notice of the proposed rule was sent to each State by FSME Letter 11-027, dated March 28, 2011. In addition to publication in the FR, the final rule is available on the internet at: <http://www.regulations.gov>. To search for fee rule documents, use Docket ID: NRC-2011-0016. To request a copy, contact NRC's License Fee Billing Help Desk at (301) 415-7554, by e-mail at fees.resource@nrc.gov, or by writing to the Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you have any questions regarding this correspondence, please contact me at (301) 415-3340, or the Office of Chief Financial Officer staff member named below.

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/RA/ by James G. Luehman for

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DATE	06/28/11	06/28/11	06/28 /11	06/30/11

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