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NRC Issues Final Licensing, Inspection and Annual Fees Rule for Fiscal Year 2013

The Nuclear Regulatory Commission has amended its regulations to reflect the licensing, inspection and annual fees it will charge its applicants and licensees for fiscal year (FY) 2013.

The FY 2013 final fee rule, published in the [Federal Register](#), includes fees required by law to recover approximately 90 percent of the agency's budget authority. The President signed the Consolidated and Further Continuing Appropriations Act of 2013 on March 26, 2013, giving the NRC a total appropriation of \$985.6 million for FY 2013. The NRC's required fee recovery amount for the FY 2013 budget is approximately \$864.0 million. After accounting for billing adjustments, the total amount to be billed as fees is approximately \$859.6 million.

The agency is required by Congress to recover for the U.S. Treasury most of its annual appropriated budget through two types of fees. One is for specific NRC services, such as licensing and inspection activities, that apply to a specific license; the other is an annual fee for generic and other regulatory costs not otherwise recovered through fees for specific services. These fees are paid to the U.S. Treasury and go into the general fund. Of the 90 percent of the NRC's budget that is recovered, approximately 40 percent of the fees (10 CFR Part 170) will be billed for specific services to cover the cost of special benefits to identifiable applicants and licensees, and the remaining 60 percent will be billed as annual fees (10 CFR Part 171).

"The NRC is continuing its efforts to keep its fees as low as possible by ensuring its programs are conducted efficiently and effectively, and requesting from Congress only the resources necessary to perform its mission of protecting people and the environment," said NRC Chief Financial Officer Jim Dyer.

The final fee rule includes several changes from the NRC's FY 2012 final fee rule. First, the NRC decreased the current hourly rate of \$274 to \$272, a decrease of 0.7 percent. This decrease in the hourly rate is a result of a smaller agency budget in FY 2013. Second, as a result of our biennial review, the NRC revised the flat license application fees in 10 CFR 170.21 and 170.31 to reflect the new hourly rate. Finally, the FY 2013 annual fees increased for spent fuel storage facilities, research and test reactors, fuel facilities, most material users, and uranium recovery facilities, while annual fees decreased for operating reactors and U.S. Department of Energy transportation activities.

The NRC estimates that the FY 2013 annual fees will be paid by licensees of 102 operating reactors, 4 research and test reactors, 21 spent nuclear fuel storage/reactor-in-decommissioning facilities, 10 fuel cycle facilities, 11 uranium recovery facilities and approximately 3,002 nuclear material users.