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NRC Proposes to Amend Annual Fees Regulations

The Nuclear Regulatory Commission seeks public comment on proposed changes to its regulations for the licensing, inspection, special project, and annual fees it would charge applicants and licensees for fiscal year (FY) 2016. The proposed regulations would reduce annual fees for most licensees due to a decrease in the NRC's budget.

The proposed rule, [published](#) today in the *Federal Register*, includes fees required by law to recover approximately 90 percent of the agency's budget.

For the FY 2016 proposed fee rule, the NRC's estimated required fee recovery amount, after billing and collection adjustments, is \$883.9 million. Approximately 37 percent of the fees, or \$325.8 million, would recover the cost of specific services to identifiable applicants and licensees under 10 CFR Part 170. The remaining 63 percent, or \$558.1 million, would be billed as annual fees under 10 CFR Part 171.

Compared with the FY 2015 annual fees, fees proposed for FY 2016 would decline for operating reactors, fuel facilities, research and test reactors, spent fuel storage/reactor decommissioning licensees, some materials users, and DOE transportation activities. Fees would increase for most uranium recovery licensees.

The proposed rule includes several possible changes from the current FY 2015 fee rule. First, the NRC would slightly lower the current hourly rate of staff review time from \$268 to \$266. As a result of this change, the NRC would revise application and registration fees.

The second major proposed change is that the NRC would establish a fee structure to recover the agency's costs in responding to significant requests for information, records, or NRC employee testimony related to lawsuits where the NRC is not a named party, also known as "Touhy requests." The proposed rule would assess fees on requests that require over 50 NRC staff hours.

The *Federal Register* notice includes detailed instructions on how to submit written comments on the proposed fee rule. Comments will be accepted through April 22. Additionally, as part of its ongoing initiative to improve the transparency of its fee setting process, the agency is interested in obtaining input on the broader topic of ways to simplify and better communicate NRC fees and has [published](#) a separate request for information in the *Federal Register*. Information on this separate effort can be found on [regulations.gov](http://www.regulations.gov) under Docket ID NRC-2016-0056.