



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 6, 2016

MEMORANDUM TO: L. Ben Ficks, Director
Division of Planning and Budget
Office of the Chief Financial Officer

FROM: Michele Kaplan, Team Leader */RA/*
Division of Planning and Budget
Office of the Chief Financial Officer

SUBJECT: MEETING SUMMARY NOTES FOR THE PUBLIC MEETING ON
FEES, HELD ON APRIL 13, 2016

On April 13, 2016, the U.S. Nuclear Regulatory Commission (NRC) staff held a public meeting to improve transparency regarding fees in relation to the budget process and fulfill its commitment to stakeholders to address the fiscal year (FY) 2016 Proposed Fee Rule. The meeting was held at the NRC headquarters in Rockville, Maryland, and the participation level was Category 2. Enclosure 1 contains a list of attendees at this meeting.

The NRC issued a public meeting notice on March 29, 2016, and posted it on the NRC's external (public) Web page (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16102A298). The meeting discussed the Request for Information which requested information on issues to consider when evaluating possible changes to the fee setting process.

Meeting Synopsis

Michele Kaplan, License Fee Policy Team Leader, Office of the Chief Financial Officer, opened the meeting and thanked those present for attending. Ms. Kaplan explained that the purpose of the meeting was to discuss the Request for Information on fees development and communication at the NRC.

Lisa Clark, Communication Specialist, Office of the Executive Director for Operations, facilitated the meeting and explained the objectives of the Category 2 public meeting, which included NRC interaction with stakeholders during a designated time on the agenda and the process to submit comments on the Request for Information.

Michele Kaplan, License Fee Policy Team Leader, Office of the Chief Financial Officer, began the presentation with a discussion of the goals for the Request for Information, to gather information to consider when evaluating possible changes to the fees setting process to simplify how the NRC calculates fees, improves transparency and improves the timeliness of the communication to stakeholders of fee changes. Ms. Kaplan reviewed the questions included in the Request for Information:

1. What are some specific ways that the NRC can improve the public's understanding of its fees and how those fees relate to the agency's budget?
2. What are some specific improvements that could be made to the fee-related work papers or forms?
3. How can the NRC improve its explanation of any changes to the annual fees or hourly rates in the annual fee rule?
4. What additional information can the NRC provide along with the proposed fee rule and work papers to help explain how the NRC determines its fees?
5. Given the statutory requirement to base the NRC fees on the annual appropriation enacted by Congress, are there any ways that the NRC can improve the timeliness of completing the annual fee rule or the communication of fee changes?
6. Are there activities that the NRC should convert from fee-billable to non-fee-billable (or vice versa) and why?
7. Are there activities or fee classes that are more suited to flat fees rather than hourly fees?
8. Are the current fee classes and categories appropriately defined?
9. Is there general information that the NRC can add to its public website that would increase understanding of our fee development and invoicing processes?

Ms. Kaplan also stated that in addition to the specific questions stated in the Request for Information, the NRC would welcome input on other issues related to fee development and transparency, responses to the Request for Information are due by May 6, 2016, and that the NRC plans to complete a Commission paper by August 15, 2016. The paper will contain recommendations for potential improvements.

Maureen Wylie, NRC Chief Financial Officer, then stated that stakeholders should not feel constrained by the list of questions in the Request for Information to submit ideas to improve the fee setting process.

NRC staff took questions from attendees. One attendee stated that it would be received positively by licensees if the NRC can improve the timing of the publication of the proposed and final rules. Also, the attendee asked for clarification of the classification of the fee rule as a major rule. Ms. Wylie discussed the impact of a re-designation of the fee rule as a non-major rule. Jeremy Suttenger, Office of the General Counsel, provided background information related to the Congressional Review Act requirements driving the major/non-major designation. The attendee also asked if there were any substantive changes made to the work papers for FY 2016. Both Christie Galster, Senior Accountant, License Fee Policy Team and Ms. Wylie responded that there was additional information provided. The attendee asked if the work papers could be made more legible. Ms. Wylie responded that this was an action item for the NRC. The attendee also asked if licensees could be provided with an estimate of the cost to complete an action in advance of the work being performed so that a licensee can track progress against the projected cost. The attendee suggested a pilot program so that uncertainty could be mitigated. The attendee also requested that the invoices sent to licensees contain more detail of the work performed to help track costs, including contractor hours. Ms. Wylie explained that there were system improvements planned. Billy Blaney, Analyst, License Fee Policy Team, explained that the OCFO, Accounts Receivable Branch, had the ability to provide uncertified estimates in advance. Mr. Blaney explained that an email request should be sent to: fee.resources.NRC.gov email address to be added to the "estimated list." The requestor would need to provide the docket number and contact information. The attendee asked for clarification on how mandatory vs. disputed hearings are billed. Ms. Wylie provided an explanation. The attendee then asked if the licensees could get an idea of the number of

hearings planned and the costs associated with them. Ms. Wylie explained that it depended on variables specific to the licensee. The attendee then asked for a breakdown on the number of hearings that are contested, uncontested, mandatory, etc.. Ms. Wylie explained that some of the request for information on hearings can be provided and some may not be able to be provided. The attendee suggested that hearings be billed as a flat fee. Ms. Wylie remarked that it deserves further study.

Ms. Kaplan thanked the participants. Ms. Wylie concluded the meeting by thanking the participants and then formally closed the meeting.

The public meeting documentation, including meeting notes and slides, can be accessed at:

[View ADAMS P8 Properties ML16118A156](#)

[Open ADAMS P8 Package \(Public Meeting on the Request for Information on Fees Development and Communications\)](#)

Enclosure:
As stated

hearings planned and the costs associated with them. Ms. Wylie explained that it depended on variables specific to the licensee. The attendee then asked for a breakdown on the number of hearings that are contested, uncontested, mandatory, etc. Ms. Wylie explained that some of the request for information on hearings can be provided and some may not be able to be provided. The attendee suggested that hearings be billed as a flat fee. Ms. Wylie remarked that it deserves further study.

Ms. Kaplan thanked the participants. Ms. Wylie concluded the meeting by thanking the participants and then formally closed the meeting.

The public meeting documentation, including meeting notes and slides, can be accessed at:

[View ADAMS P8 Properties ML16118A156](#)
[Open ADAMS P8 Package \(Public Meeting on the Request for Information on Fees Development and Communications\)](#)

Enclosure:
As stated

Distribution:

Public
OCFO/DPB/RF

Adams: Yes No Initials: AH SUNSI Review: AH
 Publicly Available Non-Publicly Available Non-Sensitive

ADAMS Accession No.: ML16113A110 *see email CFO

OFFICE	OCFO/DPB/LFPT	OCFO/DPB	OCFO/DPB
NAME	MKaplan	ABradford	LBFicks
DATE	05/06/16		

OFFICIAL RECORD COPY

**PUBLIC MEETING ON FEES
LIST OF ATTENDEES*
April 13, 2016**

<u>Name</u>	<u>Organization</u>	<u>Name</u>	<u>Organization</u>
Ronnie Ng	OCFO	Nima Ashkebowski	Nuclear Energy Institute
Gordon Peterson	OCFO	Joe Donoghue	NSIR
John Harrison	OCFO	Clare Kasputys	COMM
Samuel Lee	NRO	David D'Abate	OCFO
Samantha Crane	NRO	John Butler	Nuclear Energy Institute
JoAnn Simpson	OCFO	Maria Schofer	OEDO
Theavy Richmond	OCFO	Susan Jones	OCFO
Min Lee	OCFO	Lynn Bates	OCFO
Trish Gallalee	OEDO	John Harrison	OCFO
Jocelyn Lian	NMSS	Jeremy Suttentberg	OGC
Jennifer Rand	NMSS	Trish Gallagher	ADM
Tameka Elliott	OCFO	Bill Vontill	NMSS
Ben Ficks	OCFO	Kevin Williams	OCFO
Shana Helton	NMSS	Renu Suri	OCFO
Jana Bergman	Curtiss-Wright	William Blaney	OCFO
MJ Ross-Lee	NRR	Lisa Clark	OGC
Peter Habighorst	NMSS	Christine Galster	OCFO
L Chang	NMSS	Michele Kaplan	OCFO
Bob Caldwell	NRO	Maureen Wylie	CFO
Fred Miller	NRO	Michael Norato	NMSS
Kevin Ramsey	NMSS	Sharon Hudson	OCFO
Hipolito Gonzalez	NMSS	Shana Helton	NMSS
Jennifer Rand	NMSS	Kelly Riner	OCFO
Damaris Marcano	NMSS		

**This list does not include all internal NRC attendees*

Teleconference/Webinar Attendees:

<u>Name</u>	<u>Organization</u>	<u>Name</u>	<u>Organization</u>
Russell Allwein	OCFO	Andy Zach	US House
Meghan Blair	OCFO	Camille Zozula	Westinghouse
James Coyle	OCFO	Jennifer Dudek	OCFO
Steven Dolley	Platts	Jocelyn Lian	NMSS
Ron Gaston	Exelon Corp	Alexander Louie	OMB
Jawanza Gibbs- Nicholson	OCFO	Jo Simpson	OCFO
Eric Jebsen	Exelon Corp	Lydia Chang	NMSS
Debby Johnson	NRO	Marv Ellis	OCFO
Beverly Jones	OCFO	Stephanie West	OPA
Angella Love Blair	ADM	Casey	
Damaris Marcano	NMSS	Channille Cuceul	
Doris Mendiola	ADM	Damaties	
Jessie Quintero	NMSS	Danny Zock	
Kelly Riner	OCFO	Mirna Zores	

**Names as entered into the GoToMeeting webinar and documented attendees.*