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NRC Amends Licensing, Inspection and Annual Fees for Fiscal Year 2016

The Nuclear Regulatory Commission has amended its regulations to reflect the licensing, inspection, special project, and annual fees it will charge applicants and licensees for fiscal year (FY) 2016. The amended regulations reduce annual fees for most licensees primarily due to a decrease in the NRC's budget.

The final fee rule, published June 24 in the *Federal Register*, includes fees required by law to recover approximately 90 percent of the agency's budget. A proposed rule was published for public comment on March 23, 2016.

For FY 2016, the NRC's required fee recovery amount, after billing and collection adjustments, is \$882.9 million. Approximately 38 percent, or \$332.7 million, of the fees would recover the cost of specific services to applicants and licensees under 10 CFR Part 170. The remaining 62 percent, or \$550.7 million, would be billed as annual fees to licensees under 10 CFR Part 171.

Annual fees for FY 2016 decrease by 3.1 percent over last year for operating reactors, 6 percent for fuel facilities, 2.4 percent for research and test reactors, and 11.7 percent for spent fuel storage/reactor decommissioning licensees. Fees increase by 7.6 percent for most uranium recovery licensees and decrease by 18.2 percent for Department of Energy activities related to the Uranium Mill Tailings Radiation Control Act of 1978.

The final rule includes several changes from the FY 2015 rule. For instance, the NRC has lowered the hourly rate of staff review time from \$268 to \$265 for FY 2016, and fees charged under 10 CFR Part 170 have been updated accordingly.

Another change is that the NRC will now recover the agency's costs in responding to significant requests for information, records, or NRC employee testimony in lawsuits where the NRC is not a named party; these are commonly referred to as "Touhy requests." The final rule will assess hourly rate fees on all Touhy requests that require over 50 NRC staff hours.

The NRC estimates the FY 2016 annual fees will be paid by licensees of 100 operating commercial power reactors, four research and test reactors, 122 spent nuclear fuel storage and decommissioning reactor facilities, nine fuel cycle facilities, 10 uranium recovery facilities and approximately 3,000 nuclear materials licensees.