



SECRET NUMBER  
 PROPOSED RULE # 170 & 171  
 (58FR21116)  
**Pennsylvania Power & Light Company**

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Robert G. Byram  
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JUL 20 1993

Mr. Samuel J. Chilk, Secretary  
 U.S. Nuclear Regulatory Commission  
 Washington, DC 20555  
 Attn.: Docketing and Service Branch

SUSQUEHANNA STEAM ELECTRIC STATION  
 NRC FEE POLICY;  
 REQUEST FOR PUBLIC COMMENTS  
 PLA-4002 FILES R41-2/A17-11

Docket Nos. 50-387  
 and 50-388

Dear Mr. Secretary:

Pennsylvania Power and Light Company (PP&L) is submitting the following comments to the Federal Register notice on the NRC Fee Policy; Request for Public Comments (58FR21116).

PP&L believes that 100% recovery of NRC's budget, in part by collection of user's fees, cannot be fairly and equitably completed when some licensees are exempt from payment of users fees and some NRC activities do not require affected parties to pay user fees, while other larger licensees are perceived to have the ability to make up the difference. The Commission and Congress have to recognize that larger licensees do not have the "ability to pay" those NRC costs associated with licensees that do not pay fees. PP&L believes NRC does recognize this inequity and is attempting to lessen the burden on licensees through their programs to reduce regulatory requirements marginal to safety, the Regulatory Review Group activities, and their willingness to consider NUMARCs industry initiative program. However, a reduction in the payment of user fees by all licensees has to be a top NRC and Congressional priority. To assist in reducing the unfair burden of user fees PP&L offers the following for consideration:

- The inputs to the base user fee need to be identified. Power reactor licensee should know what NRC activities comprise the fee. This would include generic activities being pursued by NRR, Office of Nuclear Regulatory Research activities that affect power reactors, and a summarization of the rationale for fee difference between BWR/PWRs and power reactors east/west of Rockies.

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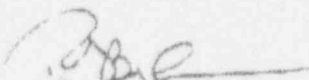
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FILES R41-2/A17-11 PLA-4002  
Mr. Samuel J. Chilk

- The user fee surcharge needs to be eliminated or reduced. Surcharges are allocated to larger NRC licensees on their perceived "ability to pay" without any consideration as to the impacts of the fees as is given to small entities, other "publicly" beneficial organizations, and international NRC activities. Although it is important to support a number of the organizations covered by the surcharge, NRC has to carefully re-consider the possibility of imposing limited fees on those organizations and activities covered by the surcharge, and counter balance these considerations with the impacts it imposes on those licensees that have to pay. NRC and Congress also need to consider the possibility of eliminating surcharges by reducing the 100% recovery requirement. In any case the costs associated with NRC activities in the areas covered by the surcharge cannot be buried in the base fee.
- NRC needs to consider incorporating Incident Investigation Team (IIT) inspections into 10CFR170 billing. Although there may be some generic impacts associated with IITs they should be considered reactive inspections to an event and billed under 10CFR170.

PP&L appreciates the opportunity to comment on the fee policy.

Very truly yours,



R. G. Byram

cc: NRC Region I  
Mr. R. J. Clark, NRC Sr. Project Manager (OWFN) (w/o)  
Mr. G. S. Barber, NRC Sr. Resident Inspector (SSES) (w/o)

**PENNSYLVANIA POWER & LIGHT COMPANY**

Nuclear Regulatory Affairs - LICENSING

Annex 2 - 4th Floor

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