



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

JUL 17 1981

MEMORANDUM FOR: R. F. Burnett, Director  
Division of Safeguards  
  
R. E. Cunningham, Director  
Division of Fuel Cycle and  
Material Safety  
  
J. B. Martin, Director  
Division of Waste Management  
  
FROM: R. S. Brown, Jr.  
Assistant to the Director  
and Chief,  
Program Support Branch, NMSS  
  
SUBJECT: PROPOSED LICENSE FEE SCHEDULE REVISION

RECEIVED BY LFMB	
Date	7/20/81
Log	A.M.
By	V.M.S.
Orig. To	
Action Compl.	

In response to the enclosed July 14 memo from Dan Donoghue, representatives from each Division and the Program Support Branch met with Bill Miller (ADM/LFMB) to discuss the proposed revision to the license fee schedule. Bill Miller explained that in response to an inquiry from Congressmen Udall and Vento, Commissioner (then Chairman) Ahearne made a commitment to revise the NRC fee schedule by August 31, 1981. The revision is to provide for full cost recovery of NRC licensing expenses from license applicants. (Radioisotopes licenses will continue to be done on a flat fee basis.)

During the discussion, Bill Miller said that there must be an application from the licensee and a response by the NRC in order to charge a fee. Russ Rentschler (SGPL) noted that there are licensing actions (e.g., 10CFR70.32 (e)) which require licensing reviews by NMSS but which involve no application by the licensee or approval by NMSS. No fees are currently charged for these actions. Dale Smith also noted that no fees are charged for assistance to Agreement States, although, as John Linehan observed, some Agreement States charge fees to the applicants. I told Bill Miller he should make the Commission aware of these situations.

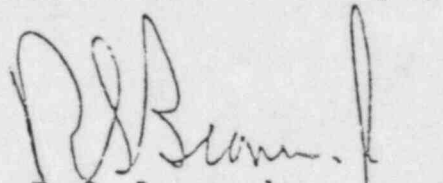
The current short-fuse revision will be in addition to, not in lieu of, the longer-term, major overhaul of the license fee schedule which is also in process. The proposed rule is due out by December 1981 and the final rule is scheduled for June 1982. As a part of the longer-term revision, NMSS needs to examine the basic fee structure in relation to the way we actually count and track our licensing casework. However, there is not time to include such considerations in the current, short-fuse exercise.

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Division Directors

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To assist them in meeting the August 31, 1981 deadline, LFMB has asked NMSS to provide high and low estimates of professional staff hours and technical assistance funding for all categories of licensing actions shown in 10CFR170.31 (1/81). As a starting point, LFMB provided the data shown in Enclosure 2. They would like our input in the format shown in Enclosure 3. If you feel it is necessary to change any of the current fee categories now, please provide the suggested changes with appropriate explanations to PSB by Monday, July 20, 1981. The resource information (Enclosure 3) should be sent to PSB by Wednesday, July 22, 1981. Please refer any questions to Claudia Seelig on Ext. 74072.



R. S. Brown, Jr.  
Assistant to the Director  
and Chief,  
Program Support Branch, NMSS

Enclosures:

1. Memo dtd 7/14/81
2. License Fee Info dtd 7/16/81
3. Format for Submitting NMSS Info

cc: J. G. Davis, NMSS  
D. Mausshardt, NMSS  
W. O. Miller, LFMB





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ENCLOSURE 1

JUL 14 1981

MEMORANDUM FOR: John Davis, Director, Office of Nuclear Material Safety and Safeguards

FROM: Daniel J. Donoghue, Director, Office of Administration

SUBJECT: PROPOSED LICENSE FEE SCHEDULE REVISION

The Commission has requested that we have a proposed revised fee schedule for their consideration by August 31, 1981. In order to meet that deadline, we plan, in the materials area, to revise only those categories of licenses in §170.31 of Part 170 which are currently subject to fees based on actual costs. The fee categories to be revised are 1A through 1H (SNM), 2A, 2B and 2C (source material), 11A through 11E (transportation), and 4A (waste disposal). In revising the fee categories, we will propose a range of fees for new licenses, approvals, amendments and renewals wherein the fees to be charged will continue to be based on actual costs, but the fees will not be limited to a maximum amount as in the current schedule. Each fee category will list a range of fees for a particular class of application (e.g., the fee for an application for amendment in fee Category 1A (fuel processing and fabrication with 5 kg or more contained U-235 enriched to 20% or more) might range from \$200 for a simple administrative amendment to \$45,000 for a complex technical amendment). Based on experience, applicants filing requests for new licenses, approvals, renewals and amendments could generally expect to pay a fee somewhere within the stated range. However, applicants and licensees would pay fees based on the actual costs incurred in the review of their applications. Since we are proposing to base fees on actual costs, the designations of "major", "minor", and "administrative" amendments would be eliminated; instead, there would be a single "Amendment Fee" designation for each fee category.

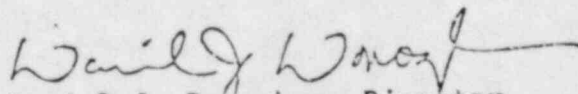
To assist us in developing a proposed revision to the fee schedule, we request that your office provide us with a range of costs for processing new licenses, approvals, amendments and renewals for fee Categories 1A through 1H, 2A, 2B, 2C, 11A through 11E, and 4A. The range would encompass the minimum costs (manpower and contractual) required to process an application in a particular fee category to the maximum costs to process an application in that same category. In addition to the presently designated fee categories, we request that a range of fees be established for the processing of new licenses, amendments and renewals for (1) ore-buying stations, and (2) ion exchange (solvent extraction) facilities.

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John Davis

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We would appreciate your providing us with the above information by c.o.b. July 17, 1981. If you have any questions concerning this matter, please contact William Miller, LFMB, on extension 2-7225.



Daniel J. Donoghue, Director  
Office of Administration