

NOV 24 1982

MEMORANDUM FOR: John Philips, Chief, Rules & Procedures Branch, ADM
FROM: William O. Miller, Chief, License Fee Management Branch, ADM
SUBJECT: FEDERAL REGISTER NOTICE - LICENSE FEES
(47 FR 52454-52466)

Enclosed is a letter from the Director, ADI, and a corrections sheet which should be sent, together with the Notice of Proposed Rulemaking, published on November 22, 1982 in the Federal Register, to all Commission licensees, applicants, reactor vendors and the state program personnel covered by computer code C-3.

Please notify the Federal Register to issue a corrections notice. Items 3 and 6 c are NRC corrections. The remainder are errors made by the Federal Register.

Please inform me of the date that distribution is made to Commission licensees since we expect many letters and phone calls concerning the Notice.

Thank you for your assistance in this matter.

Original Signed by
Wm. O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

Enclosures:

- 1. Letter to Licensees
- 2. Corrections Sheet

DISTRIBUTION:

License Fee File
WOMiller, LFMB
CJHolloway, LFMB *w/ret Enclosures* ✓
WKerr, SP *w/ret Enclosures*
LFMB R/F

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OFFICE	LFMB:ADM	LFMB:ADM				
IRNAME	CJHolloway/rf	WOMiller				
DATE	11/24/82	11/24/82				

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



10 CFR 170
Proposed Revision of License Fee Schedules
47 FR 52454-52466

CORRECTIONS

1. Page 52456, Table 5, an "x" should appear in the "Excluded" column for the Offices of Inspector and Auditor, etc.
2. Page 52458, Table 9
 - (a) The description of the second item under Category 1A should read " \geq 5 Kg U-235 for fuel fabrication ($<$ 20 pct)."
 - (b) The description of the third item under Category 1A should read " \geq 2 Kg Pu for fuel fabrication."
 - (c) The description of the fourth item under Category 1A should read " \geq 5 Kg U-235 or \geq 2 Kg U-233 other than fuel fabrication."
 - (d) For the seventh item under Category 1A, the amount shown in the third column under routine inspection should read "\$3,600" rather than "\$360."
3. Page 52458, Materials Licenses - The last sentence of the first paragraph beginning with "Fees for applications" should be replaced with the following sentence:

Fees for applications for new licenses and approvals which are not currently based on actual costs, and fees for applications for renewals and amendments which are on file with the Commission and pending review at the time the proposed rule becomes effective will be limited to the maximum fees prescribed in the March 23, 1978 schedule.

4. Page 52459, Table 10
 - (a) The description of the third item under Category 1A should read " \geq 2 Kg Pu for fuel fabrication" rather than " $1 \geq$ 2 Kg for fuel fabrication."
 - (b) The description of item 6 under Category 1A should read "200 grams to $<$ 2 Kg of Pu."

- (c) For item 2 under Category 4A - "Low level waste storage at power reactor sites," the footnote shown in the column under the heading "Renewals - Current March 1978 schedule" should read footnote "2" rather than footnote "3."
- (d) The first sentence in footnote 2 at the end of Table 10 should read "Special Projects based on actual cost." The word based had been omitted.

5. Page 52464

- (a) Category 3F - The renewal fee should read "\$350"; the amendment fee should read "\$230."
- (b) Category 3G - The application fee should read "\$2,300"; the renewal fee should read "\$930" and the amendment fee should read "\$230."
- (c) Category 3I - The amendment fee should read "\$60" rather than "\$30."

6. Pages 52465 and 52466, 10 CFR 170.32

- (a) Category 2A - In the second line the word "or-buying" should be corrected to read "ore-buying," and the word "ource" should be corrected to read "source."
- (b) Category 3B - Footnote "3" should be added to the nonroutine inspection fee of \$900.
- (c) Category 4A - Footnote "2," rather than footnote "1," should appear after the words "Actual Cost" for both routine and nonroutine inspections.
- (d) Category 7 - The second "of" in the heading should be corrected to read "or."
- (e) Category 7A - The nonroutine inspection fee should read "\$850" rather than "\$830."



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

IMPORTANT NOTICE

November 22, 1982

TO ALL PARTS 30, 40, 50, 70, 71 AND 72 LICENSEES AND APPLICANTS AND
REACTOR VENDORS

SUBJECT: PROPOSED REVISION TO PART 170 (LICENSE FEES)

Gentlemen:

On November 22, 1982, the U. S. Nuclear Regulatory Commission published in the Federal Register (47 F.R. 52454) for public comment the enclosed Notice of Proposed Rule Making. This notice proposes to revise the schedules of fees in 10 CFR 170, "Fees for Facilities and Materials Licenses and Other Regulatory Services ..." for inspections and for the review of applications for permits, licenses, amendments, renewals, approvals, and special projects such as topical and other reports. Public comments should be submitted by January 18, 1983. The proposed revisions are designed to more completely recover the Commission's direct and indirect costs of providing services to identifiable recipients.

The major changes proposed to Part 170 are:

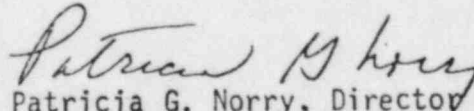
1. The proposed fees are based on Fiscal Year 1981 cost data.
2. The current ceilings or upper limits on fee charges for the review of facility and major fuel cycle applications, special projects and revisions thereto are being eliminated. The present system of classifying reactor amendments and approvals into one of six fee classes and the present system of classifying major fuel cycle amendments into major, minor or administrative amendments are being eliminated. Fees for facility amendments, approvals, and major fuel cycle amendments will be based on the actual professional staff hours and associated contractual services costs expended for the reviews.
3. All inspections (routine and non-routine) would be subject to fees and the current maximum inspection billing frequency is being eliminated. Inspection fees for facility and major fuel

cycle licensees, Part 30 waste disposal burial licensees and licensees for low level radioactive waste storage facilities will be based on the professional staff hours and contractual services costs required to conduct the inspections rather than fixed fees as in the present schedule.

4. A new area of fee assessment is being added for Part 55 Reviews for re-qualification and replacement examinations of reactor operators. Fees for these examinations would be based on actual professional staff hours and contractual services costs required to administer the examinations, and would be billed to the utility employing the operators. Costs for initial hot and cold examinations for reactor operators would continue to be included as part of the operating license review costs.
5. For those applications where fees are determined based on the actual professional staff hours and contractual services costs expended for the review, a new billing procedure is being proposed whereby applicants will be billed for the review costs at six-month intervals. Inspections which are subject to the actual cost method will be billed quarterly.

All interested parties who desire to submit written comments for consideration in connection with the proposed amendment should send them to the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Branch. Any questions relating to the proposed amendment to Part 170 should be directed to the U. S. Nuclear Regulatory Commission, Attention: License Fee Management Branch, Washington, D. C. 20555.

Sincerely,


Patricia G. Norry, Director
Office of Administration

Enclosure:
Federal Register Notice on 10 CFR 170



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

NOV 25 1981

MEMORANDUM FOR: Files

THRU: William O. Miller, Chief License Fee Management Branch, ADM

FROM: C. James Holloway, Jr., Assistant Chief, License Fee Management Branch, ADM

SUBJECT: DEVELOPMENT OF COST RANGE DATA FOR FACILITY AMENDMENTS

As a follow-up to our memorandum dated July 20, 1981, to Herb Berkow concerning the above subject, LFMB identified approximately 200 completed amendment actions and verbally requested the NRR professional staff hours expended for the cases. We received on September 8, 1981, a computer printout of all Technical Assignment Control System (TACS) numbers from December 7, 1975 through August 8, 1981. We reviewed the TAC numbers and the staff hours expended for the 200 completed amendment items. The least amount of time expended on the "low" was one hour (TAC 11632) spent on an administrative type change in fee Class I and the most amount of time expended on the "high" was 2,608.9 hours (TAC 42090) for an amendment action in fee Class IV. We further requested that NRR check 20 of the completed cases to determine whether or not any contractual services costs had been expended in support of the amendment review. Two of the twenty cases were identified as having contract costs, namely, TAC 12517 for \$2,000 and TAC 42090 for \$2,000.

used in the staff paper proposing to revise the fee schedule. The new revised hourly rate will be applied to the manpower expended for the amendment reviews. Thus, the "low" of the amendment range would be 1 hour times the hourly rate and the "high" for the amendment range would be 2,608.9 hours times the hourly rate plus \$2,800 contractual costs for TAC 42090.

For test and research reactors, we received from NRR a computer printout of completed amendment actions for the period March 23, 1978 to June 30, 1981. Again the "low" of the amendment range was one hour expended and the "high" was 678.7 hours expended for test and research amendment actions. The hourly rate will be applied to the manpower expended; thus, the "low" of the amendment range for test and research amendment actions is 1 hour times the hourly rate and the "high" for the amendment range would be 678.7 hours times the hourly rate.

C. James Holloway, Jr.
C. James Holloway, Jr., Assistant Chief
License Fee Management Branch
Office of Administration

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

*Provided by Ralph
7/20/81 for implementation*

JUL 17 1981

MEMORANDUM FOR: Thomas F. Carter, Jr., Deputy Director
Division of Fuel Cycle and Material Safety

FROM: Leland C. Rouse, Chief
Advanced Fuel & Spent Fuel Licensing Branch

SUBJECT: PROPOSED LICENSE FEE SCHEDULE REVISION

As discussed during our meeting this date with staff members of the License Fee Management Branch, on the basis of the proposed approach to revision of license fees I strongly recommend a modification of License Fee Category 1.H. in Section 170.31, 10 CFR 170. Rationale for this modification is given below.

Category 1.H. presently has a fee breakdown into six (6) types of license applications for independent spent fuel storage facilities -- custom designs, standardized designs and duplicate designs each either at a new site or on the site of an existing nuclear facility. This fine tuning is warranted in view of our lack of any data and data for review of proposed spent fuel storage facilities under the recently promulgated 10 CFR Part 72. Accordingly, we believe that the following modifications are warranted.

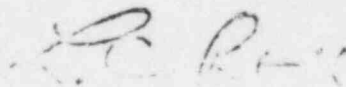
1. Licenses for receipt and storage of spent fuel where the independent spent fuel storage installation will be located on a new site; and,
2. Licenses for receipt and storage of spent fuel where the independent spent fuel storage installation will be located at the site of an existing licensed nuclear facility. (Note: reference to footnote 5 of 170.31 should be made.)

We will provide estimates of resource requirements to enable proposed fee ranges for the above two cases on the basis of new custom designs for the storage installations. Applicants will clearly recognize that fees would be less if they propose to use a standardized design previously reviewed by the NRC (none have been proposed under Part 72 although we expect to receive topical reports on dry storage cask designs) or if they propose to duplicate a design previously licensed (no new installations have yet been proposed under Part 72).

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We have coordinated the above recommendation with the Division of Safeguards. They agree with the proposed breakdown of Category 1.H. and will provide estimates of resource requirements for fee ranges to fit the two cases.

In addition to the above and as also discussed with members of the License Fee Management Branch, we recommend a new fee category be established to cover a new licensing activity that has developed, i.e., the licensing of contingency storage of low level wastes at power reactor sites under 10 CFR Part 30. On first glance, it appeared that a new category might be added under Category 4 of 170.31 to cover this licensing activity. Accordingly, we will develop resource estimates for fee ranges for "Licenses specifically authorizing contingency storage of low level waste at power reactor sites."



Leland C. Rouse, Chief
Advanced Fuel & Spent Fuel
Licensing Branch
Division of Fuel Cycle and
Material Safety

cc: G. McCorkle, SG



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

JUL 17 1981

3006.3

MEMORANDUM FOR: John Evans
Program Support Branch

FROM: John J. Linehan, Section Leader
Operating Facilities Section I
Uranium Recovery Licensing Branch

SUBJECT: MODIFICATION OF LICENSE FEE CATEGORIES

CATEGORY 2.B., Source material: Licenses for processing and recovery of source material in in-situ leaching operations or heap-leach operations, should be modified to 1) include a fee for renewal of production scale activities and 2) establish different fee ranges for production scale amendments and R&D scale amendments. A fee for renewal of production scale activities appears to have been inadvertently left out of the last fee schedule. Licenses for production scale operations must be renewed every 5 years, as is the case for all licenses for uranium recovery operations. Separating out amendment fees for R&D scale and production scale activities is appropriate because of the significant differences in size and complexity of these operations and in the associated staff effort required to review amendment requests.

A handwritten signature in cursive script, appearing to read "John J. Linehan".

John J. Linehan, Section Leader
Operating Facilities Section I
Uranium Recovery Licensing Branch
Division of Waste Management

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