



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

October 21, 1982

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

FROM: Herbert N. Berkow, Chief
Management Analysis Branch
Planning and Program Analysis Staff, NRR

SUBJECT: COMMENTS ON FEDERAL REGISTER NOTICE - PROPOSED REVISED
LICENSE FEE SCHEDULE

We have reviewed the Federal Register package for the Proposed Revised Fee Schedule and have the following comments.

1. Page 7, 1st paragraph, 7th line - States that time expended on or after the effective date of the proposed rule will be assessed at the FY 1981 rates. How will the fee be assessed for the period between March 23, 1978 and the effective date of this proposed rule?

We suggest that the second sentence of the first paragraph be rewritten as follows:

✓ "Professional hours expended in reviewing applications prior to the effective date of this proposed regulation will be billed at the professional rate established by the March 23, 1978 rule."

2. Page 11, second paragraph is not clear. What are "continuous" inspections? We suggest "continuous" be deleted. Perhaps these words could be added: "...for inspections that are conducted throughout the year"... Insert the following sentence after "schedule" at top of page 12. "Those licensees will be billed quarterly thereafter."
3. Page 29, top of page. Rather than billing all licensees and applicants every six months at the same time, we should give serious consideration to a staggered system which would spread the billings and our workload throughout the year. For example, some companies would be billed in January and July, some in February and August, some in March and September, some in April and October, etc. The administrative burden of obtaining and processing cost data and preparing bills for everyone all at once every six months might be overwhelming. The staggered system also has the advantage of improving the cash flow into the agency.

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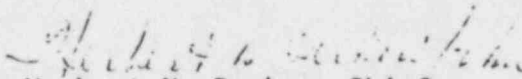
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4. Page 35, item (b), add the following sentence:

"Each application for a construction permit shall be accompanied by an application fee of \$125,000".

5. Page 36, item (e). Revise the beginning of this paragraph to read:
"Applications for spent fuel casks, packages, and shipping container approvals, spent fuel storage facility design approvals and construction approvals for plutonium fuel processing and fabrication plants shall be accompanied by an application fee of \$150. Applications for facility reference standardized design approvals shall be accompanied by an application fee of \$50,000....."
6. It should be made clear that application fees are not refundable.



Herbert N. Berkow, Chief
Management Analysis Branch
Planning and Program Analysis Staff, NRR

cc: P. Norry



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OCT 21 1982

MEMORANDUM FOR: Patricia Norry, Director
Office of Administration

FROM: James H. Sniezek, Deputy Director
Office of Inspection and Enforcement

SUBJECT: FEDERAL REGISTER NOTICE ON LICENSE FEES

The following are IE's comments on the proposed Federal Register Notice:

1. Page 11, para 1: Fees should only be charged for investigations when the allegation is substantiated. It would be unjust to charge licensees for investigations based on allegations that prove to be unfounded.
2. Page 11, par 1: After "incident/accident response" add "excluding cost for operation of the Headquarters and Regional Incident Response Centers." Fee charges should be charged only for on-site or near-site assistance or inspections.
3. Page 11, par 1: There is no such thing as an "enforcement" inspection.
4. Page 11, par 1: Change "emergency preparedness safety reviews," to "special emergency preparedness inspections."
5. Page 11, para 1: The Systematic Appraisal of Licensee Performance (SALP) Program, unlike other activities in the list, is not an inspection effort. SALP involves primarily a paperwork review of how well licensees have performed in the past. The results are used to direct future inspection effort. As such we suggest it be dropped from the list of fee chargeable activities.
6. Page 24: FY 1981 Actual Costs for IE included the Regions. Because of the difference in grade structures between the headquarters and the regions, the accounting procedures should be adjusted to reflect separate Regional and IE cost for FY 1982 and thereafter. Separate charges could then be levied depending on whether the inspection or licensing action was accomplished in the Region or Headquarters. This proposal should also apply to NRR and NISS.

James H. Sniezek
James H. Sniezek, Deputy Director
Office of Inspection and Enforcement

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