



OFFICE OF THE  
COMMISSIONER

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

September 24, 1982

MEMORANDUM TO: Andy  
FROM: Kate  
SUBJECT: SECY-81-615

Please add to the SRM for SECY-81-615 -- License Fees the following dissenting views of Commissioner Ahearne:

1. I would amend item #1 as follows "strike memorandum of November 30, 1981" and add "memoranda of November 30, 1981 and April 26, 1982."
2. I would also add the 650 educational institutions, 53 Part 50 licenses, and the other non-Federal licenses listed in the EDO's April 16 memo under Item 3. As the EDO stated:  
  
"The imposition of fees on Federal agencies for licenses inspections would require legislation since the legislation under which the Commission imposes fees expressly exempts Federal agencies. All of the other exemptions from fees could be eliminated from Part 170 by the Commission."
3. I would include other items the EDO has said could be covered:  
  
". . .Orders and resultant amendments and approvals may be made subject to fees by amending Part 170.  
  
"The legal staff has advised us that fees can be assessed to recover the Commission's costs of hearings, and may be accomplished by amending Part 170."

4. I note that the current version of the Appropriation Bill states:

"Provided, That notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), revenues from licensing fees, inspection services and other services and collections (excluding moneys for cooperative nuclear safety research programs and the material access authorization program) estimated at \$60,000.000 in fiscal year 1983 may be retained and used for necessary expenses in this account, and may remain available until expended: Provided further, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1983 so as to result in a final fiscal year 1983 appropriation estimated at not more than \$414,500,000.

If schedule slips occur, there may be significant shortfalls in available licensing fees. The EDO should develop a contingency plan for this possibility.