

University of Illinois
at Urbana-Champaign

Office of the Chancellor

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PROPOSED RULE PR 71,170 v/71

(56 FR 14878)

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USNRC

May 10, 1991

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The Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attention: Documentation and Service Branch

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Dear Sirs:

Re: comments on proposed revision to 10 CFR 170 and 171

The proposed revisions to the fee requirements of 10 CFR 170 and 171 are of direct concern to the University of Illinois as licensee for two nonpower reactors used for education, research and service to the community. The Commission, in its proposed rule, specifically excludes from license and inspection fees these nonpower reactors operated by nonprofit educational institutions, but requests comments on whether fees should be assessed to these institutions.

This letter sets forth arguments in support of the continued exclusion of educational institutions from the fees.

(a) Adverse consequences to the facilities:

Without the exemption from NRC license and inspection fees many of the nation's university reactors may be forced to close. The University of Illinois operates two reactors, one of which is used solely for teaching. Imposition of annual fees of the order of \$50,000 per license would result in an immediate decision to terminate operation of at least one of these reactors, and would place the continued operation of the other in great jeopardy.

(b) Adverse consequences to other nuclear operations:

The university research reactors provide education and training which is indispensable to the nation's other operators of nuclear reactors. In addition, their research activities sustain an academic community interested in all aspects of reactor operations and safety. The maintenance of this pool of expertise is vital to the future safety of all reactor operations in the United States. It is contrary to the interests of the NRC and the nation to threaten this resource.

(c) Advantages to the fee exemption:

The exemption from federal regulation fees has provided a substantial incentive and precedent to other agencies in support of university reactor operations. In Illinois, State legislators were recently persuaded to exempt public educational institutions from substantial regulation fees for nuclear facilities, in part because of the federal precedent for so doing.

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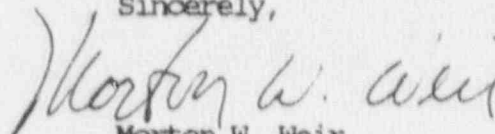
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(d) Practicality of the fee exemption:

The cost of the continuation of the fee exemptions to nonprofit educational institutions represents a minute fraction of the costs of other activities that benefit licensees generally, which the Commission has discretion to distribute among fee paying licensees. The NRC can clearly show that the exemption is in the interest of safe reactor operations nationally.

On behalf of the University of Illinois, I respectfully request the Commission to give weight to the arguments advanced here and to continue the exemption of nonprofit educational institutions from payment of fees for its licensing and inspection activities.

Sincerely,


Morton W. Weir
Chancellor

MWW:tlf

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