



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

IMPORTANT NOTICE

April 5, 1991

TO: ALL PARTS 30, 40, 50, 61, 70, 71, 73, AND 110  
LICENSEES, APPLICANTS AND REACTOR VENDORS

SUBJECT: PROPOSED REVISIONS TO 10 CFR 170 AND 171 ON LICENSE,  
INSPECTION AND ANNUAL FEES

Within the next few days, the U.S. Nuclear Regulatory Commission will publish in the Federal Register for public comment the enclosed Notice of Proposed Rulemaking. This notice proposes revisions to the fee requirements of 10 CFR 170 ("Fees for Facilities and Materials Licenses and Other Regulatory Services . . .") and 171 ("Annual Fees for Power Reactor Operating Licenses"). These revisions are being made to implement Public Law 101-508 passed by the Congress on November 5, 1990, which mandates that the NRC recover approximately 100 percent of its budget authority (\$465 million) in FY 1991 and the four succeeding years. The proposed rule would affect all applicants, licensees, and holders of Certificates of Compliance, registrations of sealed sources and devices and approvals of quality assurance programs. The proposed revisions would substantially increase the fees for those individuals and companies currently subject to fees. Other entities previously exempt from fees would become subject to the fees in the proposed schedules.

The major changes proposed to Parts 170 and 171 would:

1. Part 170:

- (a) Amend 10 CFR 170.20 to change the cost per professional staff hour for all full cost fees from \$92 per hour to \$115 per hour;
- (b) Increase all flat fees for radioisotope programs by 25 percent using as a basis the increased hourly rate;
- (c) Add inspection fees for inspections related to casks, packages, shipping containers and Part 71 vendor quality assurance programs; inspection of manufacturers and initial distributors of sealed sources and devices; and inspections conducted by the NRC of Agreement State licensees under the reciprocity provisions of 10 CFR 150.20;

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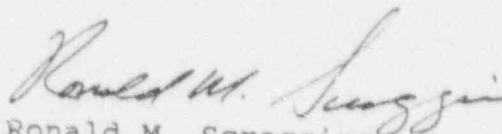
- (d) Remove the ceiling of \$50,000 previously established for the review of topical reports; and
- (e) Revoke the existing exemption provisions in §170.11(a)(1), (2), (8), (9) and (11) and assess licensing fees for import and export licenses and licensing and inspection fees for State and local government agencies, Indian tribes and Indian organizations and holders of licenses authorizing depleted uranium as shielding only in devices and containers.

2. Part 171:

- (a) Increase the Part 171 annual fees assessed to operating power reactors; and
- (b) Establish annual fees for fuel cycle licensees, including fuel fabrication facilities, uranium recovery facilities, transportation certificate holders, and materials licensees. The holders of registrations for sealed source and devices and approvals of quality assurance (QA) programs as well as Federal agencies who are licensed by the NRC will be charged an annual fee under the revised Part 171.

All parties desiring to submit written comments for consideration should send them to the Secretary of the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, within 30 days from publication in the Federal Register. Questions relating to the proposed revisions should be directed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Office of the Controller.

Sincerely,

  
Ronald M. Scroggins  
Controller

Enclosure:  
Notice of Proposed Rulemaking

7. Human use of byproduct, source, or special nuclear material.

- A. Licenses issued pursuant to Parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. \$9,700 ✓
- B. Licenses of broad scope issued to medical institutions or two or more physicians pursuant to Parts 30, 33, 35, 40 and 70 of this chapter authorizing research and development, including human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices. \$8,500
- C. Other licenses issued pursuant to Parts 30, 35, 40, and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except \$3,400 ✓

licenses for byproduct material,  
source material, or special nuclear  
material in sealed sources contained  
in teletherapy devices.

8. Civil defense:

- A. Licenses for possession and use of \$1,300  
byproduct material, source material,  
or special nuclear material for civil  
defense activities.

9. Device, product or sealed source safety evaluation:

- A. Registrations issued for the safety \$6,300  
evaluation of devices or products  
containing byproduct material, source  
material, or special nuclear material,  
except reactor fuel devices, for commercial  
distribution.
- B. Registrations issued for the safety \$3,100  
evaluation of devices or products  
containing byproduct material, source  
material, or special nuclear material  
manufactured in accordance with the