



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

AUG 03 1991

AD 87-1 33
PDR

Mr. Thomas Palmieri, Chief
Nuclear Engineering Branch
Engineering Science Division
Office of Management and Budget
275 17th Street, NW
Washington, D.C. 20503

Dear Mr. Palmieri:

On November 5, 1990, the Congress passed Public Law 101-508, which requires that the NRC recover 100 percent of its budget authority, less appropriations from the Nuclear Waste Fund, for Fiscal years 1991 through 1995 by assessing license and annual fees. For FY 1991, the NRC must collect approximately \$445 million by September 30, 1991, through these fees.

In order to comply with the law, the Commission is proposing to amend its fee regulations in 10 CFR Part 170 and 171. The proposed amendments to the Commission's fee regulations would result in a substantial increase to fees currently charged to those individuals and companies that are licensed by the NRC, and would impose fees on many organizations that are currently fee-exempt.

The proposed amendments to Part 170, which assess license and inspection fees for specific identifiable services would (1) 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; (2) increase all flat fees for radioisotope programs by 25% based on the increased hourly rate; (3) add inspection fees for inspections related to transportation casks, packages and shipping containers, and Part 71 vendor quality assurance programs; inspections of manufacturers and initial distributors of sealed sources and devices; and inspection of licensees from Agreement States under the reciprocity provisions of 10 CFR 150.20; (4) remove the ceiling of \$50,000 established for the review of topical reports; and (5) revoke the existing exemption provisions in Part 170.11(a)(1), (2), (8), (9) and (11), and assess licensing fees for import and export licenses, and licensing and inspection fees for depleted uranium used as shielding only in containers and devices and for State and local government agencies and Indian tribes and organizations.

The proposed amendments to Part 171, which assesses annual fees to specific classes of licensees would (1) increase the amount of the Part 171 annual fees assessed to operating power reactors; (2) establish annual fees for fuel cycle licensees, including fuel fabrication facilities, uranium recovery facilities, transportation certificate holders, and materials licensees. Federal agencies that hold an NRC license or certificate would also be assessed these annual fees. The amounts of the proposed annual fees, to be assessed to the major classes of NRC licenses, are summarized as follows:

<u>Class of licensee</u>	<u>Range of Annual Fees</u>
Operating power reactors	\$2,519,000 to \$3,047,000
Fuel Facilities	\$490,000 to \$2,490,000
Uranium Recovery Facilities	\$51,000 to \$77,000
Transportation Certificate/ Approval Holders	\$500 to \$71,500
Materials Users	\$300 to \$10,900
Other licensees	\$50,000 to \$208,000

Enclosed is a copy of the Notice of Proposed Rulemaking which is being transmitted to the Federal Register for publication. This notice provides for a 30 day public comment period.

Sincerely,

/s/ Ronald M. Scroggins

Ronald M. Scroggins
Controller

Enclosure: Proposed Revision
to 10 CFR Parts
170 and 171

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