

Cabell

AUG 23 1983

MEMORANDUM FOR: Robert A. Clark, Chief, Operating Reactors Branch No. 3, DL

FROM: William O. Miller, Chief, License Fee Management Branch, ADM

SUBJECT: EXEMPTION FROM FEES FOR LICENSE AMENDMENTS TO INCORPORATE
UPDATED FSAR'S IN REACTOR FACILITY LICENSES

Your memorandum dated July 18, 1983, requested that an exemption from the fee requirements of 10 CFR 170 be granted for the amendment incorporating the Updated Final Safety Analysis Report (UFSAR) in each reactor facility license. Your basis for the exemption is that the amendment to add the UFSAR would clarify the license for the convenience of the NRC since the issuance of the new FSAR update rule and licensee's compliance with it has caused all operating licenses to be incorrect and out of date. You indicated also that the amendment has only minor safety significance. It is our understanding from Charlie Trammell that this would be a one-time license amendment for the incorporation of the initial UFSAR, although 10 CFR 50.71(e) requires that licensees submit revisions to the UFSAR no less frequently than annually. He has also stated that the proposed license amendment wording (i.e., FSAR dated _____, as revised and updated annually) is such that each annual update would not require a license amendment, and it is not mandatory that licensees request license amendments for the initial update or subsequent annual filings.

Based on the above, we approve the exemption from fees pursuant to 10 CFR 170.11(b) for the application by each licensee to initially incorporate the UFSAR in the license. If subsequent amendments are requested, they are not to be considered exempt from fees under the provisions of this memorandum. We estimate that the total fee amount to be exempted under the current Part 170 would be \$75,600. This is based on the assumption that all nuclear power reactor licensees would request the administrative amendment (54 first units and 27 duplicate units (54 x \$1,200 = \$64,800 and 27 x \$400 = \$10,800)).

It is requested that your letter to licensees suggesting that they request a license amendment similar to Trojan's and informing them that no fees are required clearly state that this exemption from fees is solely for the initial incorporation of the UFSAR in the license and not for subsequent

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requests for updates to be incorporated nor for other unrelated items included in the request. Since this memorandum approves the fee exemption for the update application, you do not need to send your letter to licensees to us for concurrence. The DL review staff should be informed to provide us a completed fee form and copies of the transmittal letters from licensees for each application and reference this memorandum in the exemption provisions of Item 12 of the fee form so that we may have an accurate accountability of the actual amount exempted.

Original Signed by
Wm. O. Miller

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

cc: C. Trammell, ORB-3

DISTRIBUTION:
Regulatory Files (016 - concurrence copy)
LFMB Exemption Files (2)
LFMB Reactor File for Trojan
CJHolloway, LFMB
ASCabell, LFMB ✓
RMDiggs, LFMB
LTremper, LFMB
LFMB R/F

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