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WOMiller, LFMB
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LFMB R/F

MEMORANDUM FOR: Edwin G. Triner, Director, Division of Budget and Analysis, RM
FROM: William O. Miller, Chief, License Fee Management Branch, ADM
SUBJECT: REQUEST FOR STAFF YEAR DATA

In determining a professional staff rate to be assessed for license fees, LFMB currently uses 1800 hours as representative of an effective NRC professional staff year after making allowance for leave and holidays. This is based on data developed during the FY 1977 fee review for the fee schedule currently in effect. We have received a letter from San Diego Gas and Electric (enclosed) commenting on the proposed fee schedule published November 22, 1982. The last paragraph of the letter indicates that the utility industry considers an effective staff year as 2,000 hours. We would appreciate receiving data from your office concerning the time expended by NRC for the following:

<u>Item</u>	<u>Total NRC Hours Per Year</u> 1/
Total Hours Worked	
Annual Leave	
Sick Leave	
Holidays	
Jury Duty	
Military Leave	
Other (Identify)	
Total Hours Paid For:	

Thank you for your assistance in this matter.

Signed, G. James Holloway, Jr.

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

Enclosure:
Letter San Diego Gas Electric 12/9/82

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PDR FOIA
REYNOLDB4-564 PDR

OFFICE	1/ Full-Time Permanent Employees	LFMB:ADM	LFMB:ADM
SURNAME		CJHolloway/f	WOMiller
DATE		1/ 6 /83	1/ 6 /83

December 9, 1982 '82 DEC 13 P12:24
FILE NO

SECRET NUMBER

PR-170

(47 FR. 52454)

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Docketing and Service Branch

Dear Sir:

In response to the request for comments on the proposed rule, 10CFR Part 170, "Proposed Revision of License Fee Schedules" (Federal Register, p. 52454 ff), San Diego Gas & Electric is pleased to provide our views. SDG&E is a co-owner of the 3-unit San Onofre Nuclear Generating Station and as such will experience a direct and adverse impact if the proposed fee schedules are adopted.

We have no quarrel with the basic principle that the recipient of NRC services be charged a fee that essentially reimburses the Commission for the costs incurred in the effort expended in his behalf. However, the proposed rule is silent on the vital matter of management controls to assure that:

1. Only work of significant importance and direct pertinence to the service requested is performed;
2. The work is conducted and supervised to assure minimum of expenditure of effort;
3. The work is assigned to individuals of the requisite expertise to assure high productivity and professional effectiveness;
4. Consultants are utilized sparingly and only when fully justified by special circumstances;
5. Special services, such as inspections, are not scheduled with excessive frequency and are not more protracted and heavily manned than is necessary for expeditious conduct of the work and,
6. Great care is taken to preclude both excessive focus on minute details and arbitrary requirements for additional studies, analyses and data submittals levied on licensees.

Acknowledged by card... 12/15/82 emp

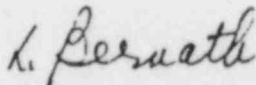
December 9, 1982

The Commission must recognize (and defend against) the inherent conflict of interest that can arise when the Staff is in a position to specify and to benefit from the quantity of effort to provide a service which cannot be precisely quantified. What seems to be missing is some counter-balancing incentive to promote the effective and productive conduct of work, while avoiding "empire-building" and "feather-bedding". The wording of the FR notice acknowledges: "the emphasis on safety has increased appreciably and costs have increased"; and, "fiscal year 1981 costs are greater because of increased licensing effort and contractual costs." It should be clear that, without an objective mechanism for assuring validity of the need for, and the level of, effort expended in providing services, abuses will occur.

It would appear, therefore, that in its current form the proposed rule cannot provide the necessary assurances discussed above, and, in fact, seems to run counter to the thrust for regulatory reform promoted by the Reagan Administration. Nor does it appear that the Commission seriously exercises cost controls when professional employees work only 1800 hours per year and are charged at rates approximating \$120,000 per staff-man-year. These parameters can be compared with 2,000 man-hours per year for utility industry and consultants' professional staff and rates that are 50% and 70%, respectively, of NRC rates charged.

Thus, we urge reconsideration of the proposed rule to assure that, only after appropriate management controls are in place, will a schedule of fees be announced.

Sincerely,



L. Bernath, Manager
Nuclear Department

LB:sh

Proposed Rules

Federal Register

Vol. 48, No. 18

Wednesday, January 26, 1983

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Docket No. AO-144-A14]

Lemons Grown in California and Arizona; Amendment of Notice of Hearing

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Change of location of public hearing.

SUMMARY: This document is intended to notify the public of a change in the location of a public hearing on a proposed marketing agreement and proposed further amendment of Marketing Order 910, as amended. Notice of the public hearing was published in the Federal Register on January 13, 1983 (48 FR 1508).

DATE: The hearing will begin at 9:00 a.m. on February 14, 1983.

ADDRESS: The hearing will be held at the Oak View Community Center, 18 Valley Road, Oak View, Calif., rather than at the location specified in the notice.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Chief, Fruit Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, telephone: 202-447-5975; or Roland G. Harris, Los Angeles Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 845 S. Figueroa, Suite 504, Los Angeles, California 90017, telephone: 213-668-3190.

Signed at Washington, D.C., on: January 20, 1983.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 83-2074 Filed 1-25-83; 8:45 am]

BILLING CODE 3410-02-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 170

[Docket No. PR-170]

Proposed Revision of License Fee Schedules

AGENCY: Nuclear Regulatory Commission.

ACTION: Extension of comment period.

SUMMARY: On November 22, 1982 (47 FR 52454), the NRC published for public comment a notice of proposed rulemaking regarding amendments to its regulations and fees for inspections and review of applications for permits, licenses, amendments, renewals, and special projects (including topical and other reports) dated November 15, 1982. At the request of the Atomic Industrial Forum the NRC is extending the period for comment on the proposed rule from January 18, 1983 to February 8, 1983.

DATE: Comments on the proposed rule (47 FR 52454, November 22, 1982) must be submitted to the NRC by February 8, 1983.

ADDRESSES: Send comments to: Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Docketing and Services Branch. Deliver comments to: Room 1121, 1717 H Street, NW., Washington, D.C., between 8:15 a.m. and 5:00 p.m. Copies of comments may be examined and copied for a fee at the NRC's Public Document Room at 1717 H Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: William O. Miller, License Fee Management Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone: (301) 492-7225.

Dated at Washington, D.C. this 21st day of January 1983.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 83-2115 Filed 1-25-83; 8:45 am]

BILLING CODE 7590-01-82

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

12 CFR Part 34

[Docket No. 83-3]

Bankers' Banks

AGENCY: Comptroller of the Currency, Treasury.

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: The Office of the Comptroller of the Currency ("Comptroller") was recently granted express authority by Congress to charter limited purpose national associations of a type commonly known as bankers' banks to provide services solely to depository institutions. This new law gives the Comptroller substantial flexibility in the chartering and regulation of such bankers' banks. The Comptroller seeks comments on the standards and procedures to be used in the chartering and regulating of such bankers' banks.

DATE: Comments must be received on or before February 25, 1983.

ADDRESS: Comments should be sent to Docket No. 83-3, Communications Division, 3d Floor, Office of the Comptroller of the Currency, 490 L'Enfant Plaza, SW, Washington, D.C. 20219. Attention: C. Christine Jones. Telephone: (202) 447-1800. Comments will be available for inspection and photocopying.

FOR FURTHER INFORMATION CONTACT: Mark Leemon or Duff Jordan, Attorneys, Legal Advisory Services Division, (202) 447-1880, or Randall J. Miller, Bank Organization and Structure Division, (202) 447-1184, Office of the Comptroller of the Currency, Washington, D.C. 20219.

SUPPLEMENTARY INFORMATION: The first State-chartered bankers' bank was established in 1975 in Minnesota. That institution established an interstate network to perform data processing, profit analysis, compliance instruction, advertising, and other services for banks. Further interest in bankers' banks was sparked by section 711 of the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221) which authorizes national banks to invest in State-chartered bankers' banks.