

# PUBLIC SUBMISSION

<b>As of:</b> 3/24/21 3:14 PM
<b>Received:</b> March 24, 2021
<b>Status:</b> Pending_Post
<b>Tracking No.</b> kmn-jkur-wrdr
<b>Comments Due:</b> March 24, 2021
<b>Submission Type:</b> Web

**Docket:** NRC-2018-0292  
Revision of Fee Schedules: Fee Recovery for FY 2021

**Comment On:** NRC-2018-0292-0001  
Revision of Fee Schedules: Fee Recovery for Fiscal Year 2021

**Document:** NRC-2018-0292-DRAFT-0004  
Comment on FR Doc # 2021-03282

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## Submitter Information

**Email:** atb@nei.org  
**Organization:** Nuclear Energy Institute

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## General Comment

See attached file(s)

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## Attachments

03-24-2021\_NRC\_NEI Comments on FY21 Proposed Fee Rule

**DR. JENNIFER L. UHLE**  
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March 24, 2021

Ms. Annette Vietti-Cook  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
ATTN: Rulemaking and Adjudications Staff

*Submitted via Regulations.Gov*

**Subject:** Industry Comments on Fiscal Year 2021 Proposed Fee Rule (NRC Docket ID NRC–2018–0292)

**Project Number: 689**

Dear Ms. Vietti-Cook:

On behalf of the Nuclear Energy Institute's (NEI)<sup>1</sup> members, we provide the following comments for the U.S. Nuclear Regulatory Commission (NRC) staff's consideration as it finalizes the fiscal year 2021 fee rule.

We appreciated the public webinar meeting held by Ms. Cherish Johnson and other NRC staff on March 18, 2021 to discuss the FY 2021 proposed fee rule and its underlying basis and assumptions. These meetings are always informative and should be continued.

As outlined below, the industry continues to be concerned with the budget trend over the last several years and what it foreshadows for the future for operating reactors. The NRC should enhance its efforts to ensure its budget appropriately accounts for changes in anticipated workload.

Over the past five years, Part 170 service fee collections have decreased by 20%. This reduction is even more dramatic for the operating plant fee class from which over 85% of service fees are collected, where Part 170 service fee collections have decreased by 45%. While there has been a reduction in the NRC operating plant budget during this time, the reduction has not kept pace with the reduction in operating plant service fee collections. As a result, a greater percentage of the budget is required to be recovered through annual fees. The percentage of the operating plant budget that is derived from annual fees (currently at 73%) continues to increase; up from 62% in FY 2016.

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<sup>1</sup> The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

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As noted in the fee rule notices and associated work papers, the reductions in service fee collections in recent years have been attributable, in part, to plant closures. These closures were announced well in advance and should have enabled adjustments to be made to properly align the NRC budget to reflect smaller projected workloads.

With a number of announced nuclear plant closures in FY2022 and subsequent years, the downward trend in Part 170 service fee collections will continue. It is not realistic to expect a decreasing number of operating plants to support a budget that, on a per plant basis, is appreciably increasing.

The anticipated reduction in Part 170 service fee collections places a strong obligation on the NRC to ensure that staffing levels and budgets are properly aligned to reflect smaller projected workloads. The NRC should take all necessary steps to continue and expedite its efficiency efforts. Given the maturity of the U.S. nuclear fleet, in combination with its high level of operational performance and a demonstrated level of safety, timely reductions in unnecessary regulatory burden are appropriate. We are encouraged by efforts underway to transform NRC into a modern risk-informed regulator. It is imperative that these efforts continue.

Please contact me if you have any questions regarding these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Uhle".

Jennifer Uhle

c: Ms. Cherish Johnson, NRC/CFO  
Mr. Anthony Rossi, NRC/OCFO