

## **General Questions about NRC Fees**

### **1. Why does the NRC collect fees?**

The two main laws that govern NRC's fee recovery are called the Independent Offices Appropriation Act of 1952 (IOAA), and the Nuclear Energy Innovation And Modernization Act (NEIMA). Under NEIMA, the NRC must recover, to the maximum extent practicable, approximately 100 percent of its annual budget authority, less the budget authority for activities excluded from fee recovery. Under section 102(b)(1)(B) of NEIMA, "excluded activities" include any fee-relief activity as identified by the Commission, generic homeland security activities, waste incidental to reprocessing activities, Nuclear Waste Fund activities, advanced reactor regulatory infrastructure activities, Inspector General (IG) services for the Defense Nuclear Facilities Safety Board, research and development at universities in areas relevant to the NRC's mission, and a nuclear science and engineering grant program. NEIMA further requires that NRC first recover fees for direct services to identifiable recipients in accordance with the IOAA; the recovery of remaining budget authority is accomplished through annual fees.

### **2. Does the NRC get all of its funding from the fees that it charges?**

No, we receive all of our funding from Congress. As required by law, we then collect to the maximum extent practicable, approximately 100% of our budget (minus excluded activities) from the fees that we charge over the course of the year, and that money is given back to the U.S. Treasury by year end. This is called "cost recovery."

### **3. How are the NRC's budget and the NRC's fees related?**

Each year, Congress decides the amount of the NRC's appropriation. Then, as the NRC's budget increases or decreases, or as the number of applicants and licensees rise or fall, the amount that must be recovered through fees by each NRC licensee may increase or decrease also.

### **4. How does the NRC determine the amount of the fees?**

Once Congress decides the agency's appropriated budget for the year, approximately 100% of that amount is recovered by setting fees for our various activities and licensees. The NRC goes through a rulemaking process each year that describes this distribution process and allows members of the public to comment on the proposed fees, which is then followed by publication of the final fees. An example of a proposed rule related to our fees can be found in the [Federal Register \(Vol. 81, No. 56, March 23, 2016\)](#).

## **5. Are there different types of fees?**

Yes, there are annual fees and hourly fees. Annual fees that are less than \$100,000 are charged once a year and annual fees over \$100,000 are charged quarterly to each company or person that has a license from the NRC. These fees are intended to recover generic regulatory costs. Hourly fees are charged according to how much work the NRC performs that is related to a particular company. For example, a company that has a license for a reactor may pay \$5 million in annual fees, and, in addition, may pay \$200,000 for hourly fees because they requested that the NRC review and approve an amendment to their license for that reactor.

## **6. Who does the NRC collect fees from?**

The NRC collects fees from the people and companies for which we provide regulatory oversight and licensing. For example, we collect fees from commercial nuclear reactors, from facilities that make the fuel for nuclear reactors, from companies that mine uranium, and from hospitals that use machines with nuclear material.

## **7. Why is the fee rate for hourly staff work so high?**

In general, the hourly rate for the NRC technical staff includes the many costs for other internal support services that are necessary to operate the agency, such as administrative staff, computer support, rent and utilities., etc.

## **8. How often do the fees change?**

The NRC issues a new fee rule every year, after receiving its budget from Congress. Some fees may stay the same from year to year, while others may change, based on the appropriated budget from Congress and on NRC's estimated workload.

## **9. Why can't the NRC let the public know its proposed or final fees earlier in the fiscal year?**

For proposed fees: Under the formulation budgeting guidance within Circular A-11 issued by the Office of Management and Budget (OMB), the NRC is not allowed to publicly release its budget request until permission to do so is granted by OMB, typically in early February. The NRC's proposed fees are based on the budget request; therefore, the proposed fees cannot be made publicly available until after the budget request has been made publicly available.

For final fees: The NRC's fees are based on the final budget that the NRC receives from Congress. In other words, the NRC cannot determine its final fees for the year until after Congress determines the NRC's final budget for the same year.

## **10. Where can I find out the amount of your fees?**

Our fees are published every year in the Federal Register and can be found at [www.federalregister.gov](http://www.federalregister.gov).

## **11. What does the NRC use the fees for?**

The fees are not used directly by the agency but instead are provided to the U.S. Treasury. In other words, the NRC receives its entire appropriation from Congress, and then spends that appropriation to carry out its activities. By the end of each fiscal year, the NRC collects approximately 100% of its appropriation (minus excluded activity resources) through fees and then takes those fees to reimburse the U.S. Treasury. The agency, therefore, does not have access to the fees that it collects in the sense that all of the costs for the agency's activities must be first appropriated to the NRC from Congress.

## **12. If I want to submit something to the NRC for review, is there a way to figure out how much the review will cost?**

It depends. For some applications, such as import licenses or sealed sources, the NRC charges a flat fee to complete the entire review. For other applications, the NRC charges hourly rates for the full amount of time that the agency staff spends on the review of that particular application. In some cases, the NRC may be able to provide you an estimate of the amount of time that will be needed to review a particular application.

## **13. Are there exceptions for small businesses?**

Yes, the NRC does take into consideration "small entities." Please see the [NRC License Fees webpage](#).

## **14. How much does it cost to get a new reactor design certified by the NRC?**

The two reactor designs most recently certified by the NRC resulted in fees of between \$45 million and \$70 million. These total costs include hourly fees for pre-application interactions between NRC and the applicant, the NRC's review of the application itself, and the NRC's review of application revisions that were submitted by the applicant.

**15. What if I want to interact with the NRC but do not have the money to pay large fees?**

You are encouraged to call or email the NRC staff to discuss your questions or to set up a meeting. In general, short, infrequent meetings of a general nature may not be charged to the company requesting the meeting. However, more in-depth or technical meetings, or activities such as the review of applications, will be charged fees.