

June 7, 1999

AG 08-2  
PDR

NOTE TO: Kathleen Ruhlman, PDR

FROM: Glenda Jackson  
LFARB/DAF/OCFO



SUBJECT: Correction to Fee Rule

On June 4 or June 7, Betty Golden, ADM, forwarded to the PDR a copy of the Final Fee Rule for FY 1999. After it was sent to you, we discovered that one page had several typos. Please replace page 149 in the document Betty sent with the attached corrected page 149. To assist you in identifying the document, I'm attaching the first page.

If you have any questions, please call me at 301-415-6057. I'm sorry for the inconvenience.

(b) **Materials licenses (excluding Part 72 licenses included in §171.17(a)).** (1) *New licenses and terminations.* The annual fee for a materials license that is subject to fees under this part and issued on or after October 1 of the FY is prorated on the basis of when the NRC issues the new license. New licenses issued during the period October 1 through March 31 of the FY will be assessed one-half the annual fee for that FY. New licenses issued on or after April 1 of the FY will not be assessed an annual fee for that FY. Thereafter, the full fee is due and payable each subsequent FY. The annual fee will be prorated for licenses for which a termination request or a request for a POL has been received on or after October 1 of a FY on the basis of when the application for termination or POL is received by the NRC provided the licensee permanently ceased licensed activities during the specified period. Licenses for which applications for termination or POL are filed during the period October 1 through March 31 of the FY are assessed one-half the annual fee for the applicable category(ies) for that FY. Licenses for which applications for termination or POL are filed on or after April 1 of the FY are assessed the full annual fee for that FY. Materials licenses transferred to a new Agreement State during the FY are considered terminated by the NRC, for annual fee purposes, on the date that the Agreement with the State becomes effective; therefore, the same proration provisions will apply as if the licenses were terminated.

(2) *Downgraded licenses.* (i) The annual fee for a materials license that is subject to fees under this part and downgraded on or after October 1 of a FY is prorated upon request by the licensee on the basis of when the application for downgrade is received by the NRC provided the licensee permanently ceased the stated activities during the specified period. Requests for proration must be filed with the NRC within 90 days from the effective date of the final rule establishing the annual fees for which a proration is sought. Absent extraordinary

AG 08-2  
PDR  
(Original -  
see  
correction )  
Brookscope  
amount  
increased

# Nuclear Regulatory Commission

Office of Public Affairs

Washington DC 20555

Telephone: 301/415-8200 -- E-mail: opa@nrc.gov

No. 99-118

June 7, 1999

## NRC AMENDS LICENSING, INSPECTION AND ANNUAL FEES

The Nuclear Regulatory Commission is amending its licensing, inspection and annual fees that it charges to licensees for the 1999 fiscal year.

The agency is required to collect nearly all of its operating budget through fees. For fiscal year 1999, the Commission must recover \$449.6 million.

This year, the Commission is rebaselining the annual fees. In the future, rebaselining will occur every three years or sooner, if warranted.

Under the rebaselining method, the agency determines the approximate costs attributable to each type of licensee, such as power reactors or fuel facilities. These costs, less the estimated amounts to be recovered through fees for actual licensing and inspection services at specific facilities, comprise the annual fee. While rebaselining can result in significant fee increases for some licensees, the agency believes it provides a fair and equitable allocation of costs.

The Commission also approved a new annual fee category for all power reactors with facilities being decommissioned that store spent fuel in a dry cask facility or in a pool. Reactor licensees who have ceased operations and have no fuel onsite will not be assessed the new spent fuel storage/decommissioning fee.

In other decisions regarding the fee rule, the Commission expanded cost recovery for certain reviews and inspections, eliminated "flat" license amendment fees for small materials licenses, and increased hourly rates for inspection and other professional services performed by NRC staff.

The Commission announced these changes after public comments were received and considered on the proposed rule published in April.

For fiscal year 1999, fees for certain classes of licensees increased, while others decreased. The fiscal year 1999 rebaselined annual fees for some licensees are as follows:

### Class of Licensee

Power Reactors (including spent fuel storage/reactor decommissioning annual fee for FY 1999)

### Fiscal Year 1999 Annual Fee

\$2,776,000

### 1998 Amount

2,976,000

**Class of Licensee**

High enriched uranium fuel facility

**Fiscal Year 1999 Annual Fee**

3,281,000

**1998 Amount**

2,604,000

**Class of Licensee**

Low enriched uranium fuel facility

**Fiscal Year 1999 Annual Fee**

1,100,000

**1998 Amount**

1,278,000

**Typical Materials Licensees**

Radiographers

**Fiscal Year 1999 Annual Fee**

14,700

**1998 Amount**

14,000

**Typical Materials Licensees**

Broad scope medical

**Fiscal Year 1999 Annual Fee**

27,800

**1998 Amount**

23,500

**Typical Materials Licensees**

Distribution of radiopharmaceuticals

**Fiscal Year 1999 Annual Fee**

3,800

**1998 Amount**

4,400

The final rule will be available in the Federal Register, and published on the internet at <http://ruleforum.llnl.gov> . To request a mailed copy of the final rule, contact the License Fee and Accounts Receivable Branch, Division of Accounting and Finance, Office of the Chief Financial Officer, at 301-415-7554, or e-mail [fees@nrc.gov](mailto:fees@nrc.gov).

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*Connected for  
Broad Scope  
1998 amount*

*AG-08-2  
ADR*

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