

JUL 1 1999

ALL AGREEMENT STATES
MINNESOTA, OHIO, OKLAHOMA, PENNSYLVANIA, WISCONSIN

**OTHER INFORMATION: NRC FINAL FEE SCHEDULE FOR FISCAL YEAR 1999
(SP-99-047)**

The NRC recently sent you, under separate cover, a copy of the NRC's final fee schedule rule for Fiscal Year 1999. The Federal Register reference is 64 FR 31448-31483, June 10, 1999. You may want to send a copy of the final rule to your licensees who may perform work in non-Agreement States under the reciprocity provisions of 10 CFR 150.20 since the final rule assesses fees to those Agreement State licensees.

The reciprocity fee schedule is on page 63 of the document provided to you (or on page 31474 of 64 FR). In addition to publication in the Federal Register, the final rule is available on the Internet at "http://ruleforum.llnl.gov."

If you have any questions regarding this correspondence, please contact me or the individual named below.

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*See previous concurrence

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 170 and 171

RIN: 3150-AG08

Revision of Fee Schedules; 100% Fee Recovery, FY 1999; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final Rule; Correction.

SUMMARY: The NRC is making the following technical corrections to the final rule which appeared in the Federal Register on June 10, 1999 (64 FR 31448). This action is necessary to correct typographical and printing errors.

FOR FURTHER INFORMATION CONTACT: Glenda Jackson, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone 301-415-6057

SUPPLEMENTARY INFORMATION:

1. On page 31458, in the second column, in the first complete paragraph, in lines 17 and 18, the words "the NRC reviewer's title" are removed and replaced with "a brief description of the work being performed".

2. On page 31466, in the second column, under 5.C.(2), the word "no" is removed.

§170.12 [Corrected]

3. On page 31470, in the first column, paragraph (7) is corrected to read:

(7) (i) The full cost of review for a standardized design approval or certification that has been deferred prior to the effective date of the rule must be paid by the holder of the design approval, the applicant for certification, or other entity supplying the design to an applicant for a construction permit, combined license issued under 10 CFR Part 52, or operating license, as appropriate, in five (5) equal installments. An installment is payable each of the first five times the approved/certified design is referenced in an application for a construction permit, combined license issued under 10 CFR Part 52, or operating license. In the case of a standard design certification, the applicant for certification shall pay the installment, unless another entity is supplying the design to the applicant for the construction permit, combined license, or operating license, in which case the other entity shall pay the installment.

(ii)(A) In the case of a design which has been approved but not certified and for which no application for certification is pending, if the design is not referenced, or if all costs are not recovered within five years after the date of the preliminary design approval (PDA), or the final

design approval (FDA), the applicant shall pay the costs, or remainder of those costs, at that time.

(B) In the case of a design which has been approved and for which an application for certification is pending, no fees are due until after the certification is granted. If the design is not referenced, or if all costs are not recovered, within fifteen years after the date of certification, the applicant shall pay the costs, or remainder of those costs, at that time.

(C) In the case of a design for which a certification has been granted, if the design is not referenced, or if all costs are not recovered, within fifteen years after the date of the certification, the applicant shall pay the costs for the review of the application, or remainder of those costs, at that time.

§171.15 [Corrected]

4. On page 31475, in the second column, the heading for §171.15 is corrected to read:
“§171.15 Annual Fees: Reactor licenses and independent spent fuel storage licenses.”

§171.16 [Corrected]

5. On pages 31477 through 31479, in the table in §171.16(d), insert “\$” before each amount listed under the heading “Annual Fees¹²³”.

6. On page 31477, in the table in §171.16(d), under the heading "Category of materials licenses", number 1.B. is revised to read "B. Licenses for receipt and storage of spent fuel at an independent spent fuel storage installation (ISFSI)," and under the heading "Annual Fees¹²³", number 1.B. is revised to read "N/A¹¹."

7. On page 31479, in the table in §171.16(d), for number 10.A., Certificates of Compliance or other package approvals issued for design of casks, packages, and shipping containers, Other Casks, under the heading "Annual Fees¹²³," the word "N" is revised to read "N/A".

8. On page 31479, in the table in §171.16(d), under the heading "Category of materials licenses", number 13.B. is revised to read "B. General licenses for storage of spent fuel under 10 CFR 72.210", and under the heading "Annual Fees¹²³", number 13.B. is revised to read "N/A¹¹."

9. On page 31479, footnote 11. is added to the table in §171.16(d) to read "11. Annual fees for this category of licensees are assessed under §171.15(c)."

Dated at Rockville, Maryland, this ___ day of _____, 1999.

For the Nuclear Regulatory Commission.

Jesse L. Funches,
Chief Financial Officer.

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