

Briefing on Fee Process

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Introduction

- We commend agency efforts to address stakeholder concerns with the NRC budget and fee recovery processes
- Fee recovery has been a longstanding concern to the industry – even more so today given the current economic environment
- NRC fee process concerns must be addressed through a combination of administrative, policy, and legislative actions

Administrative Actions

- SECY-16-0097 identifies fourteen administrative change to be implemented in fiscal year 2017
 - Actions are generally low impact changes
- Additional administrative changes identified for future consideration (fiscal year 2018 and beyond)
 - Includes changes that would have greater impact on management and communication of fees and budget
 - We encourage the acceleration of these changes where possible

Policy Recommendations

- SECY-16-0097 identifies four policy issues and requests Commission approval for further study
 1. Modify the calculation of the annual fee based on the size of the licensed facility
 2. Charge operating reactors a combined 10 CFR Part 170 and Part 171 fee
 3. Charge a flat fee for license amendment reviews for materials program licensees
 4. Charge hourly fees for all contested hearing
- For reasons discussed in August 31 letter*, NEI believes proposed policy changes should not be pursued

* ML16245A039



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Legislative Action

- The Omnibus Budget Reconciliation Act of 1990, as amended (OBRA-90) requires the NRC to recover approximately 90 percent of its budget through fees charged to licensees and applicants
- OBRA-90 limits the value that can be obtained through administrative and policy changes
- Durable reform can only be achieved through changes to fee recovery legislation, such as those proposed under S.2795, and through the continuation of efforts initiated under Project Aim