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TIME

3/16/01
9:30

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TO

NAME

TELEPHONE

Bob Jasinski

NAME AND LOCATION OF COMPANY (If other than NRC)

OPA

TELECOPY NUMBER

VERIFICATION NUMBER

415-2234

FROM

NAME

TELEPHONE

MAIL STOP

Glenda Jackson

415-6057

TELECOPY DATA

NUMBER OF PAGES

PRIORITY

THIS PAGE + 4 PAGES = 5 TOTAL

IMMEDIATE

OTHER
(Specify)

SPECIAL INSTRUCTIONS

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START=MAR-16 09:40

END=MAR-16 09:43

FILE NO.= 149

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NRC FORM 386 (12-82)		U.S. NUCLEAR REGULATORY COMMISSION		DATE 3/16/01
TELECOPIER TRANSMITTAL				TIME 9:30
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TO				
NAME Bob Jasinski			TELEPHONE	
NAME AND LOCATION OF COMPANY (If other than NRC) OPA				
TELECOPY NUMBER 415-2234		VERIFICATION NUMBER		
FROM				
NAME Blenda Jackson		TELEPHONE 415-6057		MAIL STOP
TELECOPY DATA				
NUMBER OF PAGES THIS PAGE + 4 PAGES = 5 TOTAL		PRIORITY IMMEDIATE OTHER (Specify)		
SPECIAL INSTRUCTIONS Please let me know when changes are made -				
PROBLEMS If any problems occur or if you do not receive all the pages, call: TELEPHONE		DISPOSITION OF ORIGINAL After telecopy has been sent, process the original as requested below. (If none are checked, the original will be discarded.) RETURN TO SENDER CALL AND SENDER WILL PICK UP DISCARD		
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NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs

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Washington, DC 20555-001

E-mail: opa@nrc.gov

Web Site: <http://www.nrc.gov/OPA>

No. 00-046

March 16, 2000

NRC SEEKS COMMENT ON PROPOSED LICENSING, INSPECTION AND ANNUAL FEES

The Nuclear Regulatory Commission is seeking comment on the proposed fees it charges to licensees for fiscal year ~~2000~~ ²⁰⁰¹.

The agency is statutorily required to collect nearly all of its operating budget through two types of fees. One type is for NRC services such as licensing and inspection activities. The other is an annual fee paid by all licensees, which recovers generic regulatory expenses and other costs not recovered through fees for service. These fees are contained in Commission regulations 10 CFR Part 170 (licensing and inspection services) and 10 CFR Part 171 (annual fees).

For fiscal year (FY) ²⁰⁰¹ ~~2000~~, the Commission must recover ^{\$450.2} ~~\$447.0~~ million in fees. This does not include ~~\$19.15~~ million appropriated from the Nuclear Waste Fund for high-level waste activities. Neither does it include ~~\$5.85~~ million appropriated for NRC's activities related to selected reviews for the Department of Energy and other federal agencies. Funding for these activities is excluded from license fee revenues by law. The total amount to be recovered in fees is about ~~\$456~~ million ^{\$450.2} less than that recovered the previous fiscal year. ^{and states.}

However, ^{Insert ①} the proposed FY 2000 annual fees are about 1.4 percent higher than the previous year for a number of reasons. An overcollection of \$4.1 million from FY 1998 was available to reduce the amount to be recovered through annual fees for FY 1999. There is no overcollection from FY 1999 to reduce the FY 2000 annual fees. In addition, the number of licensees paying annual fees has decreased. There are about 530 fewer materials licensees paying annual fees because they were transferred from NRC to Ohio which, as an Agreement State, assumed regulatory oversight of the materials licensees operating in the state.

Also, there is a \$3 increase over FY 1999 in hourly rates proposed for NRC inspection and other professional staff services. This results primarily from the pay raises given to all federal employees. The proposed hourly rates are \$144 for reactor program activities and \$143 for the nuclear materials program activities.

In accordance with the Regulatory Flexibility Act that requires agencies to minimize impacts of rule changes on small businesses, the NRC reviewed its fees established in ~~1991 and 1992~~ ^{FY 2000} for such

and has concluded that a change to the small entity fees is businesses, Changes in economic circumstances, the NRC fee structure, and fee-setting practices in Agreement States call for a proposed increase not warranted for FY 2001.

The NRC is proposing to increase the maximum annual fees for small entities -- those businesses that qualify for paying reduced annual fees -- from the current \$1,800 to \$2,300, and the maximum annual fee for such businesses with relatively low gross receipts or supporting populations, from the current \$400 to \$500.

The proposed FY 2000 annual fees for some licensees are as follows:

<u>Categories of Licensees</u>	<u>FY 2000 Annual Fee</u>	<u>FY ²⁰⁰¹ 1999 Annual Fee</u>
Power Reactors (including spent fuel storage/reactor decommissioning annual fee for FY 1999)	\$2,815,000	\$2,805,000 \$2,776,000
High-enriched Uranium Fuel Facility	3,327,000	3,546,000 3,281,000
Low-enriched Uranium Fuel Facility	1,116,000	1,189,000 1,100,000
Radiographers	14,900	12,500 14,700
Broad Scope Medical	28,100	24,200 27,800
Distribution of Radiopharmaceuticals	3,800	3,900 3,800

Written comments on the proposed amendments to 10 CFR Parts 170 and 171 of the Commission's regulations should be received within 30 days after publication in the Federal Register. They should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555-0001, ATTN: Rulemakings and Adjudications staff. Comments also may be submitted via the NRC's electronic rulemaking Web site at <http://www.nrc.gov> by selecting "rulemaking" from the tool bar and then "rulemaking forum."

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Other changes proposed by the NRC include a fee of \$450 to be assessed for each annual registration of generally licensed devices, consistent with the recent revisions to Parts 30, 31 and 32 establishing the registration program. Assessment of the registration fee would begin after the generally licensed devices currently in use have been initially registered with the NRC.

Insert (2)

(Insert 1)

The annual fees proposed by the NRC have been determined under the rebaseline method. The Commission decided to rebaseline annual fees this year after considering all factors, including the changes in the amount of the budget allocated to classes of licensees, and weighing the complex issues related to both fairness and stability of the fees. Rebaselined annual fees would result in reduced annual fees for a majority of the categories of licensees, and increased annual fees for other categories.

There is also a \$6 increase over FY 2000 in the hourly rate proposed for NRC licensing and other services under the reactor program, and a \$1 increase in the hourly rate for licensing and other services under the nuclear materials program. The proposed hourly rates are \$150 for the reactor program and \$144 for the nuclear materials program activities.

(Insert 2)

As a streamlining measure, the NRC is also proposing to eliminate fees currently assessed to Agreement State licensees for revisions they file related to the types and locations of licensed activities they conduct in areas under NRC jurisdiction based on NRC's reciprocity provisions. The fees assessed for the initial applications for reciprocity filed by Agreement State licensees would increase from \$1,200 to \$1,400 to recover the costs for processing the revisions.