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PETITION RULE PRM 170-5

United States Senate

WASHINGTON, DC 20510

(66FR55604)

January 11, 2002

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February 5, 2002 (8:00AM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Richard A. Meserve  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Mr. Chairman:


We are writing regarding the Petition for Rulemaking to exempt uranium recovery licensees from Nuclear Regulatory Commission (NRC) Part 170 and 171 fees in Federal Register Volume 66, Number 213, Friday, November 2, 2001 pages 55604 to 55607.

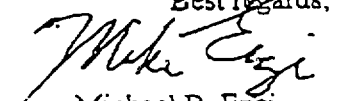
This petition notes that the NRC is currently required by federal law to recover 98 percent of its budget from its licensees through 10 CFR Part 170 and 171 fees. Such fees represent a significant cost for uranium recovery licensees at a time when the domestic industry is struggling to maintain viability due to low worldwide prices for uranium. A portion of the source material licensees in Wyoming have paid more than \$6.5 million in license fees and hourly charges since the inception of fee recovery. This petition requests NRC to waive these costs until uranium prices recover.

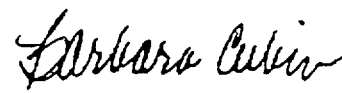
Although we recognize that waiving such fees, in whole or in part, will shift the burden of such fees to other licensees, we believe it is in the nation's interest to do so at this time. Certain classes of NRC licensees, such as power reactors, have been benefitting from the depressed domestic uranium prices. In addition, the continued existence of the only remaining conventional uranium mill in Wyoming was declared in 2001 by the Commission itself to be in the public interest. While we continue to improve national security interests and reduce our energy dependence on foreign resources, maintaining a viable uranium recovery industry increases in importance. Since September 11, 2001, the nation realizes that we need to reduce our reliance on foreign entities for strategic minerals and energy supplies more than ever. While the past decade has seen a significant oversupply of uranium in the international market, conditions are changing.

The State of Wyoming has already taken action to assist the uranium recovery industry by providing severance tax relief. We urge favorable consideration of this petition as it is clearly in the local and national public interest to waive license fees until the domestic uranium industry sufficiently recovers.

Best regards,

  
Craig Thomas  
United States Senator

  
Michael B. Enzi  
United States Senator

  
Barbara Cubin  
U.S. Congresswoman

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