

From: Trip Rothschild
To: Jackson, Glenda
Date: 7/15/02 1:24PM
Subject: Re: Revised language for the contested hearing rule

Upon further relection, the first background paragraph might be revised as follows:

The NRC has a longstanding policy of charging the affected application part 170 fees to recover the agency's costs for any uncontested hearings that the NRC holds on applications to construct a power reactor or enrichment facility. These hearings are mandated by statute. NRC's costs for contested hearings (include ADM's footnote) have not been recovered from the applicants under part 170. Instead they have been recovered through part 171 annual fees assess to the members of the particularly class of licensee to which the applicant belongs.

I have a few other comments to pass on to you after I return from the GC's 1:30 staff meeting.

>>> Glenda Jackson 07/15/02 12:47PM >>>
Trip,

Please let me know what you think of the revised language for the background sections. This incorporates ADM's comments, specifically adding footnotes on the 10 CFR 2.4 definition of contested proceedings and MOX (you may have to open in WP to see these), and also our concerns about the language re: the Fed Gov ultimately paying the costs. Also note there were several other editorial changes, such as the last paragraph of the background section (just wording changes). Please let me know what you think. We hope to get this up to Jesse later today or early tomorrow morning. Thanks, as always!

CC: cmh; Dandois, Diane; Norris, Ann