



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

*Please
Comments
2/21/03*

February 19, 2003

MEMORANDUM TO: Multiple Addressees
(See Attached List)

FROM: Diane B. Dandois, Chief *Diane B. Dandois*
License Fee and Accounts Receivable Branch
Division of Accounting and Finance
Office of the Chief Financial Officer

SUBJECT: PROPOSED NOTICE OF RULEMAKING -- 10 CFR PARTS 170
AND 171 -- 94 PERCENT FEE RECOVERY FOR FY 2003

Attached for your concurrence is a proposed rule for the FY 2003 fees to be assessed to recover 94 percent of the NRC's FY 2003 budget authority. In order to meet the statutory requirement to assess and collect the fees by September 30, 2003, this proposed rule must be published by March 13, 2003.

Please note that in order to meet the expedited schedule for the FY 2003 rule, we are providing each addressee a separate concurrence copy. Please provide your concurrence as quickly as possible, but no later than noon Friday, February 21, 2003.

If you have any questions, please contact Robert Carlson on 415-8165, or Glenda Jackson on 415-6057. Thank you for your assistance in this matter.

Attachment: As stated

cc: M. Virgilio, NMSS
S. Collins, NRR
D. Lee, OIG
H. Bell, OIG
S. Reiter, OCIO

bcc: J. Funches, CFO
P. Rabideau, DCFO

Addressees - Memorandum dated February 19, 2003

SUBJECT: PROPOSED NOTICE OF RULEMAKING – 10 CFR PARTS 170
AND 171 – 94 PERCENT FEE RECOVERY FOR FY 2003

Mail Stop:

William D. Travers, Executive Director for Operations
Janice D. Lee, Director, Office of International Programs
Michael T. Lesar, Office of Administration
Trip Rothschild, Deputy Assistant General Counsel/
Legislative Counsel, Office of the General Counsel

O-16 E15
O-4 E5
T-6 D59
O-15 D21

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OFFICE	OCFO/DAF/LFARB	C	OCFO/DAF/LFARB	C
NAME	Robertson/GCJackson		DBDandois	
DATE	2/19/03		2/19/03	

TABLE I - BUDGET AND FEE RECOVERY AMOUNTS FOR FY 2003

[Dollars in Millions]

Total Budget Authority	\$585.0
Less NWF	<u>- 24.9</u>
Balance	\$560.1
Fee Recovery Rate for FY 2003	<u>x 94.0%</u>
Total Amount to be Recovered For FY 2003	\$526.5
Less Carryover from FY 2002	<u>- 0</u>
Amount to be Recovered Through Fees and Other Receipts	\$526.5
Less Estimated Part 170 Fees and Other Receipts	<u>- 124.7</u>
Part 171 Fee Collections Required	\$401.8
Part 171 Billing Adjustments	
Unpaid FY 2002 ³ Invoices (estimated)	2.4
Less Payments Received in FY 2002 ³ for Prior Year Invoices (estimated)	<u>- 4.3</u>
Subtotal	<u>- 1.9</u>
Adjusted Part 171 Collections Required	\$399.9

The FY 2003 final fee rule will be a "major" final action as defined by the Small Business Regulatory Enforcement Fairness Act of 1996. Therefore, the NRC's fees for FY 2003 would become effective 60 days after publication of the final rule in the Federal Register. The NRC will send an invoice for the amount of the annual fee to reactors and major fuel cycle facilities upon publication of the FY 2003 final rule. For these licensees, payment would be due on the effective date of the FY 2003 rule. Those materials licensees whose license anniversary date during FY 2003 falls before the effective date of the final FY 2003 rule would be billed for the