

June 19, 2012

ALL AGREEMENT STATES

FINAL RULE—FEE RECOVERY FOR FISCAL YEAR 2012
(FSME-12-055)

Purpose: This letter is to inform you that the U.S. Nuclear Regulatory Commission (NRC) has published a final rule to modify Title 10 of the *Code of Federal Regulations* (10 CFR) Parts 170 and 171 regarding the licensing, inspection, and annual fees to recover approximately 90 percent of its fiscal year (FY) 2012 budget authority.

Background: The amendments are necessary in order to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which mandates that NRC recover through fees approximately 90 percent of its FY 2012 budget authority, less the amount appropriated for Waste Incidental to Reprocessing activities and generic homeland security activities. The final rule addresses the fees assessed to those Agreement State licensees who perform work in Non-Agreement States under the reciprocity provisions of 10 CFR 150.20. The final rule was published in the *Federal Register* (FR) on June 15, 2012 (77 FR 116), and the effective date of the rule is August 14, 2012. The reciprocity fee can be found as Category 16 in the 10 CFR 170.31, Schedule of Materials Fees, on page 35830 of the June 15, 2012, FR notice. The reciprocity fee is \$2,300 for FY 2012, the same as FY 2011. Please inform your licensees of the final fee rule and how they can access it.

Discussion: A notice of the proposed rule was sent to each State by FSME Letter 12-029, dated March 21, 2012. In addition to publication in the FR, the final rule is available on the internet at: <http://www.regulations.gov>. To search for fee rule documents, use Docket ID: NRC-2011-0207. To request a copy, contact NRC's fee staff at (301) 415-7554, by e-mail at fees.resource@nrc.gov, or by writing to the Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you have any questions regarding this correspondence, please contact me at (301) 415-3340, or the Office of Chief Financial Officer staff member named below.

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