



Organization of Agreement States



DSI-21

14

Robert Quillin, Chair
Richard A. Ratliff, P.E., Past Chair

Roland Fletcher, Chair-Elect
Thomas Hill, Secretary

November 7, 1996

Mr. John C. Hoyle
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Hoyle:

Enclosed are amended comments submitted by the Organization of Agreement States on the U.S. NRC Strategic Assessment and Rebaselining Initiative, specific to Direction Setting Issue Paper #14-- "Public Communication Initiatives"; DSI #21-- "Fees"; DSI #22-- "Research"; and DSI #23-- "Enhancing Regulatory Excellence".

Sincerely,

Robert M. Quillin, Chair
Organization of Agreement States

Enclosures: as stated

cf: Office of State Programs

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DIRECTION SETTING ISSUE 21

"FEES"

Issue

In making decisions about what activities the NRC should perform in support of its mission, to what extent should fees be considered?

Preferred Option(s)

Option 2 -- Payment of fees should not be considered in deciding whether or not to perform mandated activities. Many Agreement States are required to recover 100% of their costs from fees levied upon licensees and registrants and do not provide fee exemptions for other governmental entities as does the NRC. If an activity is mandated, such as the training of Agreement State personnel is, then that cost should be included in determining the amount of fees to be charged to licensees costs. Alternatively, funding should vigorously be sought from Congress to cover these costs.

Option 3 -- The NRC has consistently failed to address the numerous activities performed by Agreement States which benefit the NRC and other federal agencies. The Agreement States have frequently brought to the NRC's attention such activities as retrieval of leaking or potentially leaking devices that were distributed by NRC licensees; response to transportation incidents involving interstate carriers; state development of "model" regulations which later have been copied by NRC; and the extensive costs to Agreement States associated with the development of LLRW sites. These activities have been done without any remuneration from the NRC even though these LLRW sites are primarily needed for the disposal of LLRW from NRC licensed nuclear power plants, and the NRC collects a supplemental fee from its licensees for waste disposal.