



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC PROPOSES TO AMEND LICENSING, INSPECTION AND ANNUAL FEES RULE

The Nuclear Regulatory Commission is proposing to amend its regulations for the licensing, inspection and annual fees it charges applicants and licensees for fiscal year (FY) 2007.

The agency is required by Congress to recover for the U.S. Treasury most of its annual appropriated budget through two types of fees. One is for specific NRC services, such as licensing and inspection activities, that apply to a specific license; this fee is calculated using an hourly rate reflecting time spent by staff performing the service. The other is an annual fee paid by licensees, which recovers generic regulatory expenses and other costs not recovered through fees for specific services. These fees are contained in NRC regulations 10 CFR Part 170 (fees for licensing and inspection services) and 10 CFR Part 171 (annual fees). These fees are paid to the U.S. Treasury and go into the general fund.

By law, the NRC must recover through fees 90 percent of its budget for FY 2007 (Oct. 1, 2006 - Sept. 30, 2007), less the amounts appropriated from the Nuclear Waste Fund for high-level waste activities and from general funds for waste-incident-to-reprocessing and generic homeland security activities. The total amount to be recovered in FY 2007 is approximately \$664 million, about \$40 million more than in FY 2006.

The FY 2007 proposed fee rule, published today in the *Federal Register*, includes fees based upon the Energy and Water Development Appropriations Act of 2007, which was approved by the House of Representatives. A final appropriations bill has not been enacted. If a different version of the NRC budget is enacted, the fees in the NRC's final rule will differ from the fees included in the proposed rule. The NRC is proceeding with the proposed rule even without a final appropriation because the fees must be collected by Sept. 30, 2007.

The NRC is proposing to establish one hourly rate of \$256 in Part 170 for activities in both the Nuclear Reactor Safety Program and the Nuclear Materials and Waste Safety Program. This represents an increase from FY 2006 hourly rates of \$217 for the reactor program and \$214 for the materials program. The increase reflects a revised estimate of staff hours spent on specific activities, such as licensing actions, inspections and regulatory development.

The proposed FY 2007 annual fees include the following:

<u>Class/category of licenses</u>	<u>FY 2007 Annual fee</u>
Operating Power Reactors (including Spent Fuel Storage/Reactor Decommissioning annual fee)	\$4,088,000
Spent Fuel Storage/Reactor Decommissioning	\$150,000
Test and Research Reactors (Non-power Reactors)	\$92,300
High Enriched Uranium Fuel Facility	\$4,451,000
Low Enriched Uranium Fuel Facility	\$1,345,000
UF ₆ Conversion Facility	\$881,000
Rare Earth Mills	\$89,300
Typical Materials Users:	
Radiographers	\$14,100
Well Loggers	\$4,300
Gauge Users (Category 3P)	\$2,700

Written comments on the proposed fee changes should be submitted by March 5. They should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, ATTN: Rulemakings and Adjudications Staff. Comments may also be submitted by e-mail to SECY@nrc.gov, faxed to (301) 415-1011, or submitted online via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>.

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