



# 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) 2008.

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 the current hourly rate multiplied by the 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 license-specific 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 authority for FY 2008 (Oct. 1, 2007 - Sept. 30, 2008), 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. Fees are to be collected by Sept. 30. The total amount to be recovered in FY 2008 is approximately \$779.1 million, about \$109.8 million more than in FY 2007.

The FY 2008 proposed fee rule, published today in the *Federal Register*, includes fees based upon the Consolidated Appropriations Act of 2008.

The NRC's hourly rate for both the Nuclear Reactor Safety program and the Nuclear Materials and Waste Safety Program is \$238 for Part 170 activities. This represents a 7.7% decrease from FY 2007 of \$258 per hour. The decrease is primarily due to a revised estimate of direct staff hours worked annually per direct full time equivalent that is used in the hourly rate calculation.

The proposed FY 2008 annual fees include the following:

Class/category of licenses	FY 2008 Annual Fee
Operating Power Reactors (including Spent Fuel Storage/ Reactor Decommissioning annual fee) . . . . .	\$4,237,000
Spent Fuel Storage/Reactor Decommissioning . . . . .	\$140,000
Test and Research Reactors (Non-power Reactors) . . . . .	\$77,400
High Enriched Uranium Fuel Facility . . . . .	\$3,082,000
Low Enriched Uranium Fuel Facility . . . . .	\$921,000
UF6 Conversion Facility . . . . .	\$604,000
Rare Earth Mills . . . . .	\$0
	(No Rare Earth licensee in FY 2008)
Typical Materials Users:	
Radiographers . . . . .	\$11,200
Well Loggers . . . . .	\$3,400
Gauge Users (Category 3P). . . . .	\$2,100

NRC estimates that the FY2008 annual fees will be paid by 104 nuclear power plant licensees, 4 non-power reactors, 19 spent fuel storage/reactor-in-decommissioning facilities, 11 fuel cycle facilities, 7 uranium recovery facilities and approximately 4,400 material licensees.

Written comments on the proposed fee changes should be submitted within 30 days. 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 [rulemaking.comments@nrc.gov](mailto:rulemaking.comments@nrc.gov), faxed to (301) 415-1101, or submitted online via the Federal eRulemaking Portal at [www.Regulations.gov](http://www.Regulations.gov).

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