



NRC NEWS

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NRC ISSUES FINAL LICENSING, INSPECTION AND ANNUAL FEES RULE FOR FISCAL YEAR 2010

The Nuclear Regulatory Commission is amending its regulations to reflect the licensing, inspection and annual fees it will charge its applicants and licensees for fiscal year (FY) 2010.

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; the other is an annual fee for generic regulatory expenses and other costs not recovered through fees for specific services. These fees are contained in NRC regulations in Title 10 (Energy) of the *Code of Federal Regulations* (10 CFR) Part 170 (fees for license-specific services) and 10 CFR Part 171 (annual fees). These fees, collected by the NRC and provided to the U.S. Treasury, go into the general fund.

By law, the NRC must recover, through fees to applicants and licensees, 90 percent of its budget authority for FY 2010 (Oct. 1, 2009 - Sept. 30, 2010), less the amounts appropriated from the Nuclear Waste Fund for high-level radioactive waste activities and from general funds for waste-incident-to-reprocessing and generic homeland security activities. The total amount of fees to be recovered by Sept. 30 is approximately \$912.2 million, about 5 percent (\$41.5 million) more than in FY 2009.

The FY 2010 fee rule, published today in the *Federal Register*, includes fees based on the Energy and Water Development and Related Agencies Appropriation Act, 2010 (Pub. L. 111-85), signed by the President on October 28, 2009. Approximately 40 percent of the fees will be billed for specific services (Part 170) and the remaining 60 percent will be billed to annual fees (Part 171). The hourly rate for Part 170 activities will increase nominally from \$257 to \$259 per hour. The increase is due primarily to increased infrastructure and support costs for the new reactor program, fuel facility reviews, reactor licensing renewal, and spent nuclear fuel storage and transportation activities.

The final rule amends fees for some licensees due to updated Part 170 fee estimates. The FY2010 rule includes the following: First, NRC will cut costs by not mailing hard copies of the proposed fee rule to all licensees, but instead will send a short summary with instructions on how to access complete documents on the Internet. Second, NRC will review its fee policies for power

reactors, as it anticipates receiving additional applications to license small and medium-sized commercial nuclear reactors. Third, in FY2011 the agency plans to change its policy for issuance of inspection bills to licensees. Currently, inspection costs are billed only after the inspections are completed. In some cases, this can result in inspection costs accumulating over several billing cycles. Instead, inspection hours will be billed on a quarterly basis as work is performed.

The NRC is continuing its efforts to keep its fees as low as possible by ensuring its programs are conducted efficiently and effectively and requesting from Congress only the resources necessary to perform its mission of protecting people and the environment.

The proposed FY 2010 annual fees are categorized by types of licensees/applicants and include the following:

NRC estimates that the FY2010 annual fees will be paid by licensees of 104 nuclear power reactors, 4 non-power reactors, 19 spent nuclear fuel storage/reactor-in-decommissioning facilities, 12 fuel cycle facilities, 10 uranium recovery facilities, and approximately 3,150 nuclear material users.

<u>Class/Category</u>	<u>UFY 2010 Proposed Annual Fee</u>
Operating Power Reactors (including Spent Fuel Storage/ Reactor Decommissioning annual fee)	\$4,784,000
Spent Fuel Storage/Reactor Decommissioning	\$148,000
Test and Research Reactors (Non-power Reactors)	\$81,700
High-Enriched Uranium Fuel Facilities.	\$5,439,000
Low-Enriched Uranium Fuel Facilities.	\$2,047,000
UF6 Conversion Facilities.	\$1,111,000
Conventional Mills.	\$38,300
Radiographers (Category 3O)	\$28,200
Well Loggers (Category 5A).	\$11,900
Gauge Users (Category 3P).	\$4,500
Broad Scope Medical licensees (Category 7B).	\$45,100

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