



NRC NEWS

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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) 2009.

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 paid that 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 to applicants and licensees, 90 percent of its budget authority for FY 2009 (Oct. 1, 2008 - Sept. 30, 2009), 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 \$870.6 million, about \$91.5 million more than in FY 2008. The increase in FY2009 fees is due primarily to an increase in reactor license renewals and new uranium enrichment and recovery licensing activities.

Approximately one third of the fees will be billed for specific services (Part 170) and the remaining two thirds will be billed to annual fees (Part 171). The hourly rate for Part 170 activities will increase about 8 percent from \$238 to \$257 per hour. Although proposed annual fees increase for most licensees, NRC will be reducing the fee for small entities.

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 2009 annual fees are categorized by types of licensees/applicants and include the following:

<u>Class/Category</u>	<u>FY 2009 Annual Fee</u>
Operating Power Reactors (including Spent Fuel Storage/ Reactor Decommissioning annual fee)	\$4,735,000
Spent Fuel Storage/Reactor Decommissioning	\$127,000
Test and Research Reactors (Non-power Reactors)	\$124,500
High-Enriched Uranium Fuel Facility	\$4,721,000
Low-Enriched Uranium Fuel Facility	\$1,659,000
UF6 Conversion Facility	\$975,000
Conventional Mills	\$32,000

Typical Materials Users:

Radiographers	\$23,100
Well Loggers	\$9,900
Gauge Users (Category 3P)	\$3,800
Broad Scope Medical (Category 7B)	\$36,800

NRC estimates that the FY2009 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 3,800 material licensees.

The FY 2009 proposed fee rule, published today in the *Federal Register*, includes fees based upon the bill reported by House Appropriations Committee (H.R. 7324). 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, faxed to (301) 415-1101, or submitted online via the Federal eRulemaking Portal at www.Regulations.gov under Docket ID NRC2008-0620.

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