



NRC NEWS

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NRC PUBLISHES LICENSING, INSPECTION AND ANNUAL FEES FOR FISCAL YEAR 2005

The Nuclear Regulatory Commission is amending its regulations to reflect the licensing, inspection and annual fees it will charge applicants and licensees for fiscal year (FY) 2005.

The agency is required by Congress to recover for the Treasury nearly all 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. The other is an annual fee paid by all 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 90 percent of its budget for FY 2005 (Oct. 1, 2004 - Sept. 30, 2005) from fees, less the amount (\$68.5 million) appropriated from the Nuclear Waste Fund for high-level waste activities. The total amount to be recovered in FY 2005 is \$540.7 million, about \$4.6 million less than last year, when the mandate was to recover 92 percent of the agency's budget. After accounting for carryover and billing adjustments, the net amount to be recovered is approximately \$538 million.

Under the final rule, the hourly rates used to assess Part 170 fees will change to allow the funds recovered to reflect more accurately the resources NRC expends providing licensee-specific services. The final rule also reflects higher salaries and benefits resulting from the Government-wide pay raise. The new hourly rates are \$205 for the Nuclear Reactor Safety Program and \$197 for the Nuclear Materials and Waste Safety Program. Fees not recovered under Part 170 will still be recovered under Part 171 to collect the 90 percent of the budget for FY 2005.

Instead of an across-the-board percentage increase, annual fees for FY 2005 have been determined under the "re-baselining" method. This method reflects NRC budget changes for certain classes of licensees. Re-baselining fees will result in decreased annual fees compared to FY 2004 for five classes of licenses (power reactors, test and research reactors, spent fuel storage/reactor decommissioning, rare earth mills, and transportation), and increased annual fees for two classes (fuel facilities and uranium recovery). Most materials users will have increased annual fees.

The final FY 2005 annual fees include the following:

<u>Class/category of licenses</u>	<u>FY 2005 Annual fee</u>
Operating Power Reactors (including Spent Fuel Storage/Reactor Decommissioning annual fee)	\$3,155,000
Spent Fuel Storage/Reactor Decommissioning	\$159,000
Test and Research Reactors (Nonpower Reactors)	\$59,500
High Enriched Uranium Fuel Facility	\$5,449,000
Low Enriched Uranium Fuel Facility	\$1,632,000
UF ₆ Conversion Facility	\$699,000
Rare Earth Mills	\$73,700
Transportation:	
Users/Fabricators	\$80,900
Users Only	\$4,300
Typical Materials Users:	
Radiographers	\$12,800
Well Loggers	\$4,100
Gauge Users (Category 3P)	\$2,500

The final rule was published today in the *Federal Register*, and becomes effective July 25. A proposed rule on this subject was published February 22, with a request for public comment. The agency received 16 comments, which are summarized, along with the agency's responses, in the final rule *Federal Register* notice.

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