



NRC NEWS

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NRC ISSUES FINAL LICENSING, INSPECTION AND ANNUAL FEES RULE FOR FISCAL YEAR 2011

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) 2011.

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 are paid to the U.S. Treasury and go into the general fund.

By law, the NRC must recover, through fees, approximately 90 percent of its budget authority for FY 2011 (Oct. 1, 2010 - Sept. 30, 2011), 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 (non-fee items). The NRC receives 10 percent of its budget authority (not including non-fee items) from the general fund each year to pay for the cost of agency activities that do not provide a direct benefit to NRC licensees, such as international assistance and Agreement State activities. The NRC's total amount of fees to be recovered by Sept. 30 is approximately \$915.8 million, about less than 1 percent (\$3.6 million) more than in FY 2010.

The FY 2011 fee rule, published today in the *Federal Register*, includes fees based on the Department of Defense and Full-Year Continuing Appropriations Act 2011 signed by the President on April 15. Approximately 40 percent of the fees will be billed for specific services (Part 170) and the remaining 60 percent will be billed as annual fees (Part 171). The NRC is changing the FY 2011 hourly rate to \$273. This increase in the hourly rate is primarily due to a slight increase in the agency fee-based budget that will be recovered by fewer direct full time equivalents (FTEs).

In FY 2011, the NRC revised its budget structure. This new structure allows the agency to more accurately identify all its direct and overhead costs. Under this new structure, more of the budgeted resources have been properly identified as overhead costs. The agency is using this information to further streamline its costs and make more efficient use of all its resources.

The annual fees for power reactors and uranium recovery facilities have decreased while fees for spent fuel storage facilities, non-power reactors, fuel facilities, most materials users and Department of Energy's (DOE) uranium recovery and transportation increased. The final FY 2011 annual fees are categorized by types of licensees/applicants and include the following:

| <u>Class/Category of Licenses</u> | <u>FY 2011 Annual Fee</u> |
|--|---------------------------|
| Operating Power Reactors (including Spent Fuel Storage/ Reactor Decommissioning annual fee) | \$4,673,000 |
| Spent Fuel Storage/Reactor Decommissioning | \$241,000 |
| Test and Research Reactors (Non-power Reactors) | \$86,300 |
| High-Enriched Uranium Fuel Facility | \$6,085,000 |
| Low-Enriched Uranium Fuel Facility | \$2,290,000 |
| UF6 Conversion Facility | \$1,243,000 |
| Conventional Mills | \$31,900 |
| Radiographers | \$25,700 |
| Well Loggers | \$10,000 |
| Gauge Users (Category 3P) | \$4,800 |
| Broad Scope Medical licensees (Category 7B) | \$45,400 |

The NRC estimates that the FY 2011 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.

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