

May 30, 2008

The Honorable Peter J. Visclosky
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the U.S. Nuclear Regulatory Commission (NRC) recover approximately 90 percent of its Fiscal Year (FY) 2008 budget authority through fees. In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171. The NRC will bill licensees approximately \$760.7 million in FY 2008.

The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$238 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 establish the FY 2008 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared with FY 2007 fees, the FY 2008 annual fees increase for power reactor and non-power reactor fee classes, and decrease for spent fuel storage/reactor decommissioning, fuel facilities, materials users, transportation and uranium recovery fee classes. The significant factors affecting the changes to Part 171 annual fee amounts are the increase in budgeted resources for new reactor activities, higher revenue estimates for the fee classes under Part 170, and adjustment for greater than expected fee collections in FY 2007.

Enclosed is a copy of the final rule which is being transmitted to the *Federal Register* for publication. The final rule will become effective 60 days after publication.

Sincerely,

/RA/

J. E. Dyer
Chief Financial Officer

Enclosure:
Final Revision to 10 CFR
Parts 170 and 171

cc: Representative David L. Hobson

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The amendments to 10 CFR Part 170 revise the professional hourly rate and flat license application fees charged to licensees and applicants. With this final rule, the NRC is establishing an hourly rate of \$238 to assess Part 170 fees. The rate reflects the anticipated costs NRC will incur providing licensee-specific services.

The amendments to 10 CFR Part 171 establish the FY 2008 annual fees to be assessed to NRC licensees to recover costs not recovered through 10 CFR Part 170 fees. As compared with FY 2007 fees, the FY 2008 annual fees increase for power reactor and non-power reactor fee classes, and decrease for spent fuel storage/reactor decommissioning, fuel facilities, materials users, transportation and uranium recovery fee classes. The significant factors affecting the changes to Part 171 annual fee amounts are the increase in budgeted resources for new reactor activities, higher revenue estimates for the fee classes under Part 170, and adjustment for greater than expected fee collections in FY 2007.

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J. E. Dyer
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