

June 3, 2008

Ms. Christine McDonald  
The Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Dear Ms. McDonald:

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 licensee 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 decreases 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/*

Mary S. Givvines, Controller  
Office of the Chief Financial Officer

Enclosure:  
As stated

June 3, 2008

Ms. Christine McDonald  
The Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Dear Ms. McDonald:

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 licensee 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 decreases 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/*

Mary S. Givvines, Controller  
Office of the Chief Financial Officer

Enclosure:  
As stated

Distribution:

R. Erickson, OCFO/DFM      OCFO RF      OCFO/DFM RF      OCA RF

ADAMS: **YES**/NO INITIALS: RIE      SUNSI Review Complete by RIErickson on 05/05/08

SENSITIVE/**NON-SENSITIVE**      **PUBLIC**/NON-PUBLIC

ADAMS ACCESSION NUMBER: ML081560350

\*See previous concurrence

To receive a copy of this document, indicate in the box:

**"C"** = Copy without enclosure      **"E"** = Copy with enclosure      **"N"** = No copy.

OFFICE	OCFO/DFM	C	OCFO/DFM	C	OCFO/DFM	N
NAME	RSuri*		TAGrancorvitz		MSGivvines	
DATE	05/07/08		05/13/08		06/03/08	

OFFICIAL RECORD COPY