



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 15, 2015

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-15-0044

TITLE: PROPOSED VARIABLE ANNUAL FEE STRUCTURE FOR  
SMALL MODULAR REACTORS

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of May 15, 2015.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", written over a horizontal line.

Annette L. Vietti-Cook  
Secretary of the Commission

Enclosures:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Burns  
Commissioner Svinicki  
Commissioner Ostendorff  
Commissioner Baran  
OGC  
EDO  
PDR

VOTING SUMMARY - SECY-15-0044

RECORDED VOTES

|                  | APRVD | DISAPRVD | ABSTAIN | NOT<br>PARTICIP | COMMENTS | DATE    |
|------------------|-------|----------|---------|-----------------|----------|---------|
| CHRM. BURNS      | X     |          |         |                 | X        | 4/29/15 |
| COMR. SVINICKI   | X     |          |         |                 |          | 5/1/15  |
| COMR. OSTENDORFF | X     |          |         |                 | X        | 4/20/15 |
| COMR. BARAN      | X     |          |         |                 | X        | 4/15/15 |

NOTATION VOTE

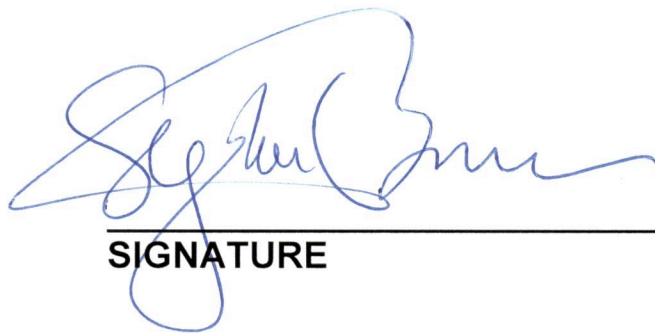
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: Chairman Burns  
SUBJECT: SECY-15-0044 – PROPOSED VARIABLE ANNUAL FEE  
STRUCTURE FOR SMALL MODULAR REACTORS

Approved X Disapproved \_\_\_ Abstain \_\_\_ Not Participating \_\_\_

COMMENTS Below X Attached \_\_\_ None \_\_\_

I approve the staff's recommendation to proceed with a rulemaking to amend Part 171 of Title 10 of the Code of Federal Regulations to include a variable annual fee structure for Small Modular Reactors (SMRs). I support the staff's recommended schedule for the SMR rulemaking process to begin in September 2015 and end in February 2016 in order for the SMR policy to become effective in FY 2016.



\_\_\_\_\_  
SIGNATURE

29 April 2015

\_\_\_\_\_  
DATE

Entered in "STARS" Yes X No \_\_\_

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER SVINICKI  
SUBJECT: SECY-15-0044 – PROPOSED VARIABLE ANNUAL FEE  
STRUCTURE FOR SMALL MODULAR REACTORS

Approved XX Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_\_\_ Attached \_\_\_\_\_ None XX

  
\_\_\_\_\_  
SIGNATURE

05/ 1 /15  
\_\_\_\_\_  
DATE

Entered in "STARS" Yes  No \_\_\_\_\_

**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** COMMISSIONER OSTENDORFF  
**SUBJECT:** SECY-15-0044 – PROPOSED VARIABLE ANNUAL FEE STRUCTURE FOR SMALL MODULAR REACTORS

Approved  Disapproved  Abstain  Not Participating

COMMENTS Below  Attached  None

I approve the staff's request to draft a proposed rule that would amend Part 171 of Title 10 of the Code of Federal Regulations and other affected parts, to include a variable annual fee structure for Small Modular Reactors. The staff should provide the draft proposed rule to the Commission by the end of the fiscal year.

I applaud the staff's approach to address this issue. While the current rule allows for exemption from the fees, it is burdensome on the licensee and the staff. Codifying the basis for variable annual fee structure for Small Modular Reactors in this rule provides clarity for new applicants. However, as indicated in the paper, the staff may need to modify the equations and base fee in the future as the staff gains additional experience with these facilities. Therefore, the staff should keep the Commission informed of necessary changes based on experience.

  
\_\_\_\_\_  
SIGNATURE

  
\_\_\_\_\_  
DATE

Entered in "STARS" Yes  No

**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** Commissioner Baran  
**SUBJECT:** SECY-15-0044 – PROPOSED VARIABLE ANNUAL FEE  
STRUCTURE FOR SMALL MODULAR REACTORS

Approved  Disapproved  Abstain  Not Participating

COMMENTS Below  Attached  None

I approve the NRC staff's recommendation to proceed with rulemaking to amend the current fee regulations to provide variable annual fees for small modular reactors (SMRs) and multi-module nuclear power plants, as described in SECY-15-0044. I agree with the staff that NRC should continue to provide a uniform fee for the current operating power reactor fleet. Completing this rulemaking prior to the submission of SMR applications will enhance regulatory certainty and transparency for potential applicants while providing stakeholders and the public with an opportunity to comment on the agency's proposed approach.

  
\_\_\_\_\_  
**SIGNATURE**

4/15/15  
\_\_\_\_\_  
**DATE**

Entered in "STARS" Yes  No