



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

(FSME-07-008, February, Other, Fee Recovery)

February 5, 2007

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA PROPOSED

RULE -- FEE RECOVERY FOR FISCAL YEAR 2007 (FSME-07- 008)

Purpose: This is to inform you that the U.S. Nuclear Regulatory Commission (NRC) has published a proposed rule to modify 10 CFR Parts 170 and 171 regarding the licensing, inspection, and annual fees to recover approximately 90 percent of its fiscal year (FY) 2007 budget authority.

Background: The amendments are necessary in order to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which mandates that NRC recover through fees approximately 90 percent of its FY 2007 budget authority, less the amount appropriated from the Nuclear Waste Fund, for Waste Incidental to Reprocessing, and generic homeland security costs. The NRC's required fee recovery amount is based on the FY 2007 Energy and Water Appropriations Bill (H.R. 5427) passed by the U.S. House of Representatives. If Congress enacts a different version of the NRC budget than that included in H.R. 5427, the fees in the NRC's FY 2007 final fee rule will be adjusted to reflect the enacted budget. The proposed rule would modify the fees assessed to those Agreement State licensees who perform work in Non-Agreement States under the reciprocity provisions of 10 CFR 150.20. The proposed rule was published in the *Federal Register* on February 2, 2007 (72 FR 5108-5140). The *Federal Register* notice (FRN) requests **comments by March 5, 2007**.

The proposed rule was sent to each State under separate cover, with a memorandum summarizing the proposed changes. The proposed rule was also made available on the NRC web site: <http://ruleforum.llnl.gov/cgi-bin/rulelist?type=prule>. The reciprocity fee can be found at the end of the Schedule of Materials Fees on page 5130 of the February 2, 2007 FRN. The reciprocity fee is to be decreased from \$1,900 for FY 2006 to \$1,500 for FY 2007. Please inform your licensees of the proposed fee rule and how they can access it.

NRC Point of Contact: If you have any questions regarding this notice, please contact Renu Suri, Office of the Chief Financial Officer, Telephone (301) 415-0161, Fax (301) 415-5387, E-mail RXS6@nrc.gov.

If you have any questions regarding this correspondence, please contact me or the individual named below.

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