

TABLE IV.—ALLOCATION OF NRC FY 1995 BUDGET TO POWER REACTORS' BASE FEES¹—Continued

	Program total		Allocated to power reactors	
	Program support (\$,K)	Direct FTE	Program support (\$,K)	Direct FTE
Nuclear Materials Mgt. and Safeguards System	1,165	1.0	850	.7
Cost Center Total			\$3,744	.7
Reactor Program Total			\$110,518	1,278.6
Total base fee amount allocated to power reactors				² \$385.0 million
Less estimated part 170 power reactor fees				\$122.9 million
Part 171 amount for operating power reactors				\$262.1 million
Part 171 base fee for each operating reactor				\$262.1 million
				(³)

¹ Base annual fees include all costs attributable to the operating power reactor class of licensees. The base fees do not include costs allocated to power reactors for policy reasons.

² Amount is obtained by multiplying the direct FTE times the rate per FTE (\$214,765) and adding the program support funds.

³ 108 reactors=\$2,427,000 per reactor.

Paragraph (b)(3) is revised to establish the base uniform annual fee for each operating power reactor and to change the fiscal year references from FY 1994 to FY 1995.

Paragraphs (c)(1) and (c)(2) are amended to show the amount of the

budget allocated for policy reasons (surcharge) to operating reactors for FY 1995. This surcharge is added to the base annual fee for each operating power reactor. The purpose of this surcharge is to recover those NRC budgeted costs that are not directly or

solely attributable to operating power reactors but nevertheless must be recovered to comply with the requirements of OBRA-90.

The FY 1995 budgeted costs that are to be recovered in the surcharge from all licensees are as follows:

TABLE V
[In millions of dollars]

Category of costs	FY 1995 budgeted costs (\$ in millions)
1. Activities not attributable to an existing NRC licensee or class of licensee:	
a. International cooperative safety program and international safeguards activities	10.5
b. Agreement State oversight	6.2
c. Low-level waste disposal generic activities; and	7.0
d. Site decommissioning management plan activities not recoverable under 10 CFR Part 170	5.6
2. Activities not assessed Part 170 licensing and inspection fees or Part 171 annual fees based on existing law or Commission policy:	
a. Fee Exemption of nonprofit educational institutions;	6.1
b. Licensing and inspection activities associated with other Federal agencies;	1.6
c. Costs not recovered from Part 171 for small entities	5.8
3. Activities supporting NRC operating licensees and Others.	
a. Regulatory support to Agreement States	14.2
b. Decommissioning-Reclamation	6.2
Total budgeted costs	63.2

Excluding low-level waste costs totalling \$7 million, the current policy allocates the remaining \$56.2 million based on three different methods. First, 100 percent of costs for certain activities (e.g., international activities and the nonprofit educational institution exemption) are allocated to operating power reactors, based on the guidance in the Conference Committee report accompanying OBRA-90 which stated that these types of costs may be recovered from such licensees as the Commission determines can fairly,

equitably and practicably contribute to their payment. The second method prorates the costs of some activities (e.g., small entity subsidy and Agreement State oversight) to all licensees under the implicit assumption that no one class of licensees should have to bear the full cost. Under the third method, 100 percent of the costs of some activities (e.g., SDMP and regulatory support to Agreement States) are allocated to the class of licensees to which the activities relate, independent of whether the activities are needed for

current licensees/applicants or support non-NRC licensees. In addition to being based on three different principles, the current policy creates significant annual fee problems for classes of licensees with a small or declining number of licensees. For example, as more states become Agreement States, the relatively fixed costs for generic regulatory activities (e.g., rulemaking, research, evaluation of operational data and policy development) that support both NRC and Agreement State licensees will be allocated to a smaller number of