

annual fee for each operating power reactor to recover the budgeted costs for the following:

(i) Activities not attributable to an existing NRC licensee or classes of licensees; e.g., international cooperative safety program and international safeguards activities; support for the Agreement State program; site decommissioning management plan (SDMP) activities and low-level waste disposal generic activities, and

(ii) Activities not currently assessed under 10 CFR part 170 licensing and inspection fees based on existing law or Commission policy, e.g., reviews and inspections conducted of nonprofit educational institutions and Federal agencies; activities related to decommissioning and reclamation and costs that would not be collected from small entities based on Commission policy in accordance with the Regulatory Flexibility Act.

(2) The FY 1995 surcharge for each operating power reactor is \$509,000. This amount is calculated by dividing the total cost for these activities (\$55.0 million) by the number of operating power reactors (108).

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(d) The FY 1995 part 171 annual fee for each operating power reactor, which includes the surcharge in paragraph (c)(2) of this section, is \$2,936,000. Thereafter, annual fees will be assessed in accordance with § 171.13.

(e) The annual fees for licensees authorized to operate a nonpower (test and research) reactor licensed under

part 50 of this chapter, except for those reactors exempted from fees under § 171.11(a), are as follows:

Research reactor	\$56,500
Test reactor	\$56,500

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9. In § 171.16, the introductory text of paragraph (c) and paragraphs (c)(1), (c)(4), (d), and (e) are revised to read as follows:

§ 171.16 Annual Fees: Materials Licensees, Holders of Certificates of Compliance, Holders of Sealed Source and Device Registrations, Holders of Quality Assurance Program Approvals and Government agencies licensed by the NRC.

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(c) A licensee who is required to pay an annual fee under this section may qualify as a small entity. If a licensee qualifies as a small entity and provides the Commission with the proper certification, the licensee may pay reduced annual fees for FY 1995 as follows:

	Maximum Annual fee per licensed category
Small businesses not engaged maximum annual fee in manufacturing and small per licensed category not-for-profit organizations (gross annual receipts):	
\$350,000 to \$5 million ..	\$1,800
Less than \$350,000	400

	Maximum Annual fee per licensed category
Manufacturing entities that have an average of 500 employees or less:	
35 to 500 employees	1,800
Less than 35 employees	400
Small Governmental Jurisdictions (Including publicly supported educational institutions) (population)	
20,000 to 50,000	1,800
Less than 20,000	400
Educational institutions that are not State or publicly supported, and have 500 employees or less:	
35 to 500 employees	1,800
Less than 35 employees	400

(1) A licensee qualifies as a small entity if it meets the size standards established by the NRC (See 10 CFR 2.810).

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(4) For FY 1995, the maximum annual fee (base annual fee plus surcharge) a small entity is required to pay is \$1,800 for each category applicable to the licensee(s).

(d) The FY 1995 annual fees, including the surcharges shown in paragraph (e) of this section, for materials licensees and holders of certificates, registrations or approvals subject to fees under this section are as follows:

SCHEDULE OF MATERIALS ANNUAL FEES AND FEES FOR GOVERNMENT AGENCIES LICENSED BY NRC

[See footnotes at end of table]

Category of materials licenses	Annual fees ^{1 2 3}
1. Special nuclear material:	
A. (1) Licenses for possession and use of U-235 or plutonium for fuel fabrication activities.	
(a) Strategic Special Nuclear Material:	
Babcock & Wilcox	SNM-42 \$2,569,000
Nuclear Fuel Services	SNM-124 2,569,000
(b) Low Enriched Uranium in Dispersable Form Used for Fabrication of Power Reactor Fuel:	
Combustion Engineering (Hematite)	SNM-33 1,261,000
General Electric Company	SNM-1097 1,261,000
Siemens Nuclear Power	SNM-1227 1,261,000
Westinghouse Electric Company	SNM-1107 1,261,000
(2) All other special nuclear materials licenses not included in Category 1.A.(1) which are licensed for fuel cycle activities.	
(a) Facilities with limited operations:	
B&W Fuel Company	SNM-1168 501,700
(b) All Others:	
Babcock & Wilcox	SNM-414 340,700
General Atomics	SNM-696 340,700
General Electric	SNM-960 340,700
B. Licenses for receipt and storage of spent fuel at an independent spent fuel storage installation (ISFSI)	279,000
C. Licenses for possession and use of special nuclear material in sealed sources contained in devices used in industrial measuring systems, including x-ray fluorescence analyzers	1,300