

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2204

To provide authority for the NRC to recover costs of regulating Agreement State programs.

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IN THE SENATE OF THE UNITED STATES

JUNE 16 (legislative day, JUNE 7), 1994

Mr. DURENBERGER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To provide authority for the NRC to recover costs of regulating Agreement State programs.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be referred to as the “Nuclear Regu-  
5 latory Commission Fee Equity Act of 1994”.

6 **SEC. 2. COLLECTION AUTHORITY.**

7 Section 6101(c) of Omnibus Budget Reconciliation  
8 Act of 1990 (42 U.S.C. 2214) is amended to read as fol-  
9 lows:

10 “(c) ANNUAL CHARGES.—

1           “(1) PERSONS SUBJECT TO CHARGE.—Any li-  
2           censee of the Commission or any State with which  
3           the Commission has entered into a cooperative  
4           agreement pursuant to section 274 of the Atomic  
5           Energy Act of 1954, as amended, may be required  
6           to pay, in addition to the fees set forth in subsection  
7           (b), an annual charge.

8           “(2) AGGREGATE AMOUNT OF CHARGES.—The  
9           aggregate amount of the annual charge collected  
10          from all persons subject to such charge, as identified  
11          in paragraph (1), shall equal an amount that ap-  
12          proximates 100 percent of the budget authority of  
13          the Commissions in the fiscal year in which such  
14          charge is collected, less any amount appropriated to  
15          the Commission from the Nuclear Waste Fund and  
16          the amount of fees collected under subsection (b) in  
17          such fiscal year.

18          “(3) AMOUNT.—The Commission shall estab-  
19          lish, by rule, a schedule of charges fairly and equi-  
20          tably allocating the aggregate amount of charges de-  
21          scribed in paragraph (2) among persons subject to  
22          such charge as identified in paragraph (1). To the  
23          maximum extent practicable, the charges shall have  
24          a reasonable relationship to the cost of providing  
25          regulatory services and may be based on the alloca-

1       tion of the Commission's resources among licensees,  
2       classes of licensees, and States with which the Com-  
3       mission has entered into a cooperative agreement  
4       pursuant to section 274 of the Atomic Energy Act  
5       of 1954, as amended.".

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