

DRAFT SUPPORTING STATEMENT
FOR
CONFORMANCE WITH
THE STANDARD REVIEW PLAN

10 CFR 50.34(g)

DESCRIPTION OF THE INFORMATION COLLECTION

The NRC conducts a detailed review of all applications for licenses to construct and operate nuclear facilities. In March 1982, the NRC adopted 10 CFR 50.34(g) which requires applicants for a construction permit (CP), operating license (OL), preliminary design approval (PDA), or final design approval (FDA) to provide, as part of the material currently required by 10 CFR 50.34, an evaluation of the facility against the Standard Review Plan (SRP) (NUREG-0800) acceptance criteria, for those applications docketed after May 17, 1982. The evaluation required shall include an identification of all differences in design features, analytical techniques, and procedural measures proposed for a facility and those corresponding features, techniques and measures given in the SRP acceptance criteria. Where differences exist, the evaluation shall discuss how the proposed alternative provides an acceptable method of complying with the Commission's regulations that underlie the corresponding SRP acceptance criteria. The SRP was issued to establish the criteria that the NRC staff uses in evaluating whether an applicant/licensee meets the Commission's regulations. The SRP is not a substitute for the regulations, and compliance is not a requirement.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

The objective of the requirement contained in 10 CFR 50.34(g) and of the implementing guidance of NUREG-0906 is to allow the limited NRC staff resources to quickly focus on those areas involving differences from the SRP acceptance criteria in order to make the most effective use of the staff's resources. Experience has shown that such differences usually involve issues of safety significance and require the greatest amount of time to resolve. Since the applicants are familiar with their plant's designs, they are in a better position to identify the differences from the SRP acceptance criteria during the normal course of preparing the technical supporting information for an application.

2. Agency Use of Information

The SRP reflects the NRC's detailed interpretations of the acceptable means to satisfy the applicable regulatory requirements, which ensure that the proposed facilities can be constructed and operated without any undue risk to the health and safety of the public. Because of limited resources, the NRC staff conducts audit reviews of the Safety Analysis Reports (SARs) submitted with an application, in accordance with the review procedures in the SRP.

The material currently found in SARs does not lend itself to ready identification of the differences from the SRP acceptance criteria. These differences are often found in responses to staff questions or during meeting discussions. Differences from the SRP acceptance criteria do not necessarily imply nonconformance with regulatory requirements. However, they do reflect a departure from accepted practice that should be highlighted by the licensee to ensure a thorough staff review.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology. Moreover, NRC encourages its use. However, as of the current time, no responses have been submitted electronically.

4. Effort to Identify Duplication and Use Similar Information

This provision is not required by other Federal regulations. Licensees for nuclear power plants or applicants requesting standard design certification are the only source for this information. The Information Requirements Control Automated System (IRCAS) was searched for duplication and none was found.

5. Effort to Reduce Small Business Burden

The provisions of the subject regulation do not affect small businesses.

6. Consequences to Federal Program or Policy Activities if the Collection is Not Conducted or is Conducted Less Frequently

Less frequent collection or not collecting the information at all would impact NRC's detailed review and interpretations of the acceptable means to satisfy the applicable regulatory requirements to ensure that a proposed facility can be constructed and operated without any undue risk to the health and safety of the public.

7. Circumstances which Justify Variation from OMB Guidelines

This information collection does not vary from OMB guidelines.

8. Consultations Outside the NRC

In April 1994, the Commission published proposed design certification rules for reactor designs evaluated, in part, with the information collected under 10 CFR 50.34(g). Interested parties were invited to submit comments. Comments were received from a wide range of industry (architect engineers, vendors, utilities) and general public respondents. These comments were considered and resolved in the final rulemakings. The final rules for the Advanced Boiling Water Reactor and CE System 80+ were issued in May, 1997. The final rule for the AP600 was issued in December, 1999. In addition, several public meetings and workshops were held on the design certification rulemakings.

Opportunity for public comment on this information collection has been published in the Federal Register.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Proprietary or confidential information is protected in accordance with 10 CFR 2.790 of the NRC regulations.

11. Justification for Sensitive Questions

This regulation does not require sensitive information.

12. Estimated Industry Burden and Burden Hour Cost

During the next 3 years, the NRC does not expect any new CP, OL, PDA, or FDA applications. Thus, burden and cost associated with this regulation are expected to be negligible.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

During the next 3 years, the NRC does not expect any new CP, OL, PDA, or FDA applications. Thus, cost associated with the regulation is expected to be negligible.

15. Reasons for Changes in Burden or Cost

There is no change in burden.

16. Publication for Statistical Use

The information collected under this provision is not published for statistical purposes.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.