

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: U. S. Nuclear Regulatory Commission (NRC)

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, or extension: Revision
2. The title of the information collection: Licensee Event Report
3. The form number if applicable: NRC Form 366

4. How often the collection is required: On occasion
5. Who will be required or asked to report: Holders of Operating Licenses for Commercial Nuclear Power Plants
6. An estimate of the number of responses: 1130 annually
7. The estimated number of annual respondents: 104
8. An estimate of the total number of hours needed annually to complete the requirement or request: 56,471
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable
10. Abstract: With NRC Forms 366, 366A, and 366B, the NRC collects reports of the types of reactor events and problems that are believed to be significant and useful to the NRC in its efforts to identify and resolve threats to public safety. They are designed to provide the information necessary for engineering studies of operational anomalies and trends and patterns analysis of operational occurrences. The same information can be used for other analytic procedures that will aid in identifying accident precursors.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F23, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide web site: <http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by (insert date 30 days after publication in the Federal Register). Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Amy Farrell
Office of Information and Regulatory Affairs (3150-0104)
NEOB-10202
Office of Management and Budget
Washington, DC 20503

Comments can also be submitted by telephone at (202) 395-7318.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this day of April 2001.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton, NRC Clearance Officer
Office of the Chief Information Officer

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ACCESSION NUMBER: ML011010106 (PACKAGE)

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FINAL OMB SUPPORTING STATEMENT
FOR
NRC FORMS 366, 366A, and 366B, "LICENSEE EVENT REPORT"
10 CFR 50.73

(3150-0104)
Revision to Clearance Extension

Description of the Information Collection

Holders of operating licenses for commercial nuclear power plants are required to report specified events in writing using NRC Forms 366, 366A, and 366B, "Licensee Event Report."

A. JUSTIFICATION

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

Part of the NRC's function is to license and regulate the operation of commercial nuclear power plants to ensure protection of public health and safety and the environment in accordance with the Atomic Energy Act (AEA) as amended. In order for the NRC to carry out these responsibilities, licensees must report significant events so that the NRC can evaluate the events to determine what actions, if any, are warranted to ensure protection of public health and safety or the environment. In addition, this information is needed for the NRC to carry out its responsibility to inform Congress of those events constituting "abnormal occurrences."

Section 10 CFR 50.73, requires reporting, on NRC Forms 366, 366A, and 366B, the types of reactor events and problems that are believed to be significant and useful to the NRC in its effort to identify and resolve threats to public safety. It is designed to provide the information necessary for engineering studies of operational anomalies and trends and patterns analysis of operational occurrences. The same information can be used for other analytic procedures that will aid in identifying accident precursors.

On October 25, 2000, the NRC published a final rule in the Federal Register which modified the event reporting requirements in 10 CFR 50.73 (65 FR 63769). The requirements were modified to reduce or eliminate the unnecessary reporting burden associated with events of little or no safety significance. The final rule also better aligned event reporting requirements with the type of information NRC needs to carry out its safety mission, including revising reporting requirements based on importance to risk and extending the required reporting times consistent with the time that information is needed for prompt NRC action. NRC Forms 366, 366A, and 366B were modified to reflect changes in 10 CFR 50.73. Also, NUREG-1022, Revision 2, "Event Reporting Guidelines, 10 CFR 50.72 and 50.73," was made available concurrently with the final rule.

2. Agency Use of Information

The information reported on NRC Forms 366, 366A, and 366B is used by the NRC in determining whether action is needed to resolve a potential threat to public health and safety or the environment. This includes confirming licensing bases, studying potentially generic safety problems, assessing trends and patterns of operational experience, monitoring performance, identifying precursors of more significant events, and providing operational experience feedback to the industry. In addition the NRC uses the information obtained to inform Congress of those events constituting "abnormal occurrences."

The reported events are assessed both individually and collectively to determine their safety significance and their generic implications and to identify any safety concerns with the potential to seriously impact the public health and/or safety. The evaluation of these events provides valuable insights on improving reactor safety.

The information required includes detailed event descriptions, plant conditions at the onset of the events, root cause(s) of the occurrences, an assessment of safety consequences and implications, data on operator actions and personnel errors, and the corrective actions taken by the licensee to prevent recurrences.

The assessment and feedback of operating experience is a vital and integral prerequisite to improving reactor safety. Within the NRC, a formal and systematic program has been established for the collection, assessment, and feedback of operational experience gained from the Licensee Event Reports (LERs). This program has proven effective and resulted in an improved understanding of reactor performance, identification of important safety issues, and initiation of corrective or remedial actions such as issuing generic letters, revising license requirements, and issuing bulletins requiring licensee action and information notices.

In addition, formal and informal methods have been developed to couple the NRC's program with the industry's programs. The NRC cooperates with the industry's Institute of Nuclear Power Operations (INPO) by exchanging information on operational events. Furthermore, the NRC cooperates with various other nations, the Nuclear Energy Agency (NEA) and the International Atomic Energy Agency (IAEA) Incident Reporting System (IRS) by exchanging information about operational events. The worldwide sharing of nuclear operating experience has proven valuable, particularly for accident prevention.

Elimination of data collection would seriously degrade the NRC's ability to assess operating experience and to feed back the lessons learned in a timely manner, including corrective actions to prevent recurrences.

3. Reduction of Burden Through Information Technology

The NRC is currently implementing an electronic document management and reporting program, known as the Agency-wide Document Access and Management System (ADAMS), that will in general provide for electronic submittal of many types of reports, including those required by 10 CFR 50.73. Pending such electronic submittal, LERs are entered into ADAMS upon receipt by the NRC. They are then electronically transferred to the Oak Ridge National Laboratory for input into the Sequence Coding Search System (SCSS) operational experience database and made available for electronic retrieval by interested persons.

There are no legal obstacles to reducing the burden associated with this information collection through the use of electronic media.

4. Efforts to Identify Duplication and Use Similar Information

There is no similar information available to the NRC. The Information Requirements Control Automated System (IRCAS) was searched, and no duplication was found.

5. Effort to Reduce Small Business Burden

The information collection affects only licensees of nuclear power plants. These licensees do not fall within the scope of the definition of "small entities" as given in the Regulatory Flexibility Act or the Small Business Size Standards in regulations issued by the Small Business Administration at 13 CFR Part 121.

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

Not collecting the information, or collecting it less frequently, would degrade the NRC's ability to determine in a timely manner what actions, if any, may be needed to resolve potential threats to public health and safety or the environment and (2) inform Congress of those events constituting "abnormal occurrences."

7. Circumstances Which Justify Variation from OMB Guidelines

Not applicable.

8. Consultations Outside the NRC.

Notice of opportunity for public comment on NRC Forms 366, 366A, and 366B has been published in the Federal Register. The NRC published a proposed rule to modify the event reporting requirements in the Federal Register on July 6, 1999 (64 FR 36291). Concurrently, a draft revision to the associated event reporting guidelines, which includes NRC Forms 366, 366A, and 366B, was made available for public comment (NUREG-1022, Draft Revision 2). A public meeting was held at NRC Headquarters on August 3, 1999, to discuss the proposed rule and draft

guidelines. Public comments were due on September 20, 1999. Additional public meetings were held on February 25, and March 22, 2000, to discuss public comments. All comments received were considered. Then, on October 25, 2000, the NRC published a final rule in the Federal Register which modified the event reporting requirements in 10 CFR 50.73 (65 FR 63769). Concurrently with the final rule, NUREG-1022, Revision 2, "Event Reporting Guidelines, 10 CFR 50.72 and 50.73," which includes NRC Forms 366, 366A, and 366B, was made publicly available. NRC Forms 366, 366A, and 366B were modified to reflect changes in 10 CFR 50.73.

Opportunity to comment on the information collection was published in the Federal Register on February 6, 2001 (66 FR 9109). No comments were received.

9. Payment or Gift to Respondents

Not Applicable

10. Confidentiality of Information

NRC provides no pledge of confidentiality for this collection of information.

11. Justification for Sensitive Questions

No sensitive information is requested.

12. Estimated Burden and Burden Hour Cost

Previously (i.e., three years ago) in connection with a periodic renewal of this information collection, it was estimated that licensees annually submitted approximately 1600 LERs. At 50 hours per LER, this resulted in a burden of 80,000 hours.

However, as a result of a decreasing trend in the number of reportable events (including a reduction in the number of operating plants from 109 to 104), licensees have only submitted about 1400 LERs per year in recent years (a reduction of about 200 LERs per year). Furthermore, on October 25, 2000, the NRC published a final rule in the Federal Register which amended the event reporting requirements in 10 CFR 50.73 (65 FR 63769), effective January 23, 2001. This change is estimated to further reduce the number of LERs by about 270 per year.

Accordingly, licensees are expected to submit about 1130 written LERs per year using NRC Forms 366, 366A, and 366B (1600-200-270). As in past years, it is estimated that licensees expend 50 hours per written LER. This yields an estimated recurring annual burden of about 56,471 hours per year industry-wide (a reduction of about 23,529 hours per year), or about 543 hours per reactor per year for 104 operating reactors (a reduction of about 181 hours per reactor per year).

At \$143 per hour, this amounts to about \$8M per year industry-wide ($\$143 \times 56,471$) or about \$80K per year per reactor for 104 operating reactors ($\$8M \div 104$).

13. Estimate of other Additional costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

Previously (i.e., three years ago) in connection with a periodic renewal of this information collection, it was estimated that the NRC would expend about 60,000 hours per year in review and follow up activities associated with LERs, and about \$3M per year in associated program support costs, as well as about 2100 hours per year in other costs. Since that time, the NRC's work practices and budget estimates have changed. The NRC currently targets about 25,000 hours per year for reactor event screening and follow up activities. In July 2000, in connection with a rule change that revised this information collection effective January 23, 2001, it was estimated that about 12,000 hours of this effort may be allocated to review and follow up of LERs that are submitted using NRC Forms 366, 366A, and 366B (a decrease of about 48,000 hours per year). In addition, the NRC now spends about \$600K per year in contract costs for coding events, inputting data to the LER database, and maintaining the LER database (a decrease of about \$2.4M per year). Finally, the NRC expends about 2000 hours per year in managing that contract.

At \$143 per hour, this amounts to a total of about \$2.6M per year ($\$143 \times 14,000 + \$600K$).

These costs are fully recovered through fee assessments to the NRC licensees pursuant to 10 CFR Parts 170 and/or 171. Cost is based on the fee rate assessed to licensees.

15. Reasons for Change in Burden or Cost

Based on the review of past reports, licensees annually have submitted 1600 LERs and expended 50 hours per LER which resulted in a burden of 80,000 hours. In recent years licensees have only submitted about 1400 LERs per year (a reduction of about 200 per year). Furthermore, on October 25, 2000, NRC published a final rule in the Federal Register which amended the event reporting requirements of 10 CFR 50.73 (65 FR 63769), effective January 23, 2001. This

rule change is expected to further reduce the number of LERs by about 270 per year in the next clearance period (1600 minus 200 equals 270). It has been estimated that licensees will submit about 1130 LERs per year and will still expend 50 hours per LER. This yields an estimated recurring annual burden of about 56,471 hours per year industry-wide (a reduction of about 23,529 hours per year), or about 543 hours per reactor per year (a reduction of about 181 hours per 104 reactors per year). At \$143 per staff hour times 56,471 hours per year would amount to about \$8M per year industry-wide or about \$80K per year per reactor.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed

18. Exceptions to the Certification Statement

Not applicable

B. Collection of Information Employing Statistical Methods

The collection of information does not employ statistical methods.