

SUPPORTING STATEMENT FOR 10 CFR PART 19

"NOTICES, INSTRUCTIONS, AND REPORTS TO WORKERS: INSPECTION AND INVESTIGATIONS"

(OMB Clearance No. 3150-0044)

REVISION REQUEST

DESCRIPTION OF THE INFORMATION COLLECTION

Licenseses are required to instruct workers on matters related to radiological working conditions. This instruction ranges from a tour of the workplace pointing out hazards to a 1-week intensive course on radiation protection involving the preparation of training material. Workers need to be educated about health risks from occupational exposure to radioactive materials or radiation, precautions or procedures to minimize exposure, worker responsibility to report promptly to the Commission any licensee conditions which may lead to or cause a violation of Commission regulations, and the individual radiation exposure reports which are available to them. The licensee is required to control radiation doses to individuals in restricted areas so that, with the exception of planned special exposures under 10 CFR 20.1206, no one receives an annual dose which exceeds the limits established by 10 CFR 20.1201. The annual limit shall be the more limiting of the total effective dose equivalent being equal to 5 rems or the sum of the deep-dose equivalent and the committed dose equivalent to any individual organ or tissue other than the lens of the eye being equal to 50 rems. The annual limit to the lens of the eye is 15 rems, and 50 rems to the skin, or to any extremity.

The individual should be informed of the radiation dose he or she receives because: (a) that information is needed by both a new employer and the individual when the employee changes jobs in the nuclear industry; (b) the individual needs to know the radiation dose received as a result of an accident or incident (if this dose is in excess of the 10 CFR Part 20 limits) so that he or she can seek counseling about future work involving radiation, medical attention, or both, as desired; and (c) since long-term exposure to radiation may be an adverse health factor, the individual needs to know whether the accumulated dose is being controlled within NRC limits. Pursuant to 10 CFR 19.16, a worker may notify the Commission about radiological working conditions he believes are in violation of the Atomic Energy Act, the regulations, or license, and the worker may request an inspection. Upon receipt of such notice, the Commission must determine whether the complaint meets certain requirements specified in 10 CFR Part 19, and either request an inspection or determine that an inspection is not warranted and so notify the complainant in writing.

A. JUSTIFICATION

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

10 CFR 19.12 requires NRC licensees to give reports to workers as follows: "All individuals who in the course of employment are likely to receive in a year an occupational dose in excess of 100 mrem (1mSv) shall be kept informed of the storage, transfer, or use of radiation and/or radioactive material; instructed in the health protection problems associated with exposure to radiation and/or radioactive material, in

precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed; instructed in, and required to observe, to the extent within the worker's control, the applicable provisions of Commission regulations and licenses for the protection of personnel from exposure to radiation and/or radioactive material; instructed of their responsibility to report promptly to the licensee any condition which may lead to or cause a violation of Commission regulations and licenses or unnecessary exposure to radiation and/or radioactive material; instructed in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation and/or radioactive material; and advised as to the radiation exposure reports which workers may request pursuant to § 19.13.... The extent of these instructions shall be commensurate with potential radiological health protection problems present in the work place."

10 CFR 19.13 - "Notifications and Reports to Individuals," requires NRC licensees to give written reports of exposure to radiation as described in the following subsections from that regulation. The records of exposure to radiation referenced by 10 CFR 19.13 are maintained in accordance with the requirements of 10 CFR Part 20.

10 CFR 19.13(a) - "Radiation exposure data for an individual, and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of an individual, shall be reported to the individual... Each notification and report shall: be in writing; include appropriate identifying data such as the name of the licensee, the name of the individual, the individual's social security number; include the individual's exposure information; and contain the following statement:

This report is furnished to you under the provisions of the Nuclear Regulatory Commission regulation 10 CFR Part 19. You should preserve this report for further reference."

10 CFR 19.13(b) - "Each licensee shall advise each worker annually of the worker's dose as shown in records maintained by the licensee pursuant to the provisions of 10 CFR 20.2106 of 10 CFR Part 20."

10 CFR 19.13(c)(1)(i), (ii) and (2) - "At the request of a worker formerly engaged in licensed activities controlled by the licensee, each licensee shall furnish to the worker a report of the worker's exposure to radiation and/or to radioactive material: ...for each year the worker was required to be monitored under the provisions of § 20.1502; and for each year the worker was required to be monitored under the monitoring requirements in effect prior to January 1, 1994. This report must be furnished within 30 days from the time the request is made or within 30 days after the exposure of the individual has been determined by the licensee, whichever is later. This report must cover the period of time that the worker's activities involved exposure to radiation from radioactive material licensed by the Commission and must include the dates and locations of licensed activities in which the worker participated during this period."

10 CFR 19.13(d) - "When a licensee is required pursuant to §§ 20.2202, 20.2203 20.2204, or 20.2206...to report to the Commission any exposure of an individual to radiation or radioactive material, the licensee shall also provide the individual a report on his or her exposure data included therein. This report must be transmitted at a time not later than the transmittal to the Commission."

10 CFR 19.13(e) - "At the request of a worker who is terminating employment with the licensee that involved exposure to radiation or radioactive materials, during the current calendar quarter or the current year, each licensee shall provide at termination to each worker, or to the worker's designee, a written report regarding the radiation dose received by that worker from operations of the licensee during the current year or fraction thereof. If the most recent individual monitoring results are not available at that time, a written estimate of the dose must be provided together with a clear indication that this is an estimate."

10 CFR 19.16(a) - "Any worker or representative of workers who believes that a violation of the [Atomic Energy] Act, the regulations..., or license conditions exists or has occurred in license activities with regard to radiological working conditions in which the worker is engaged, may request an inspection by giving notice of the alleged violation to the Administrator of the appropriate Commission Regional Office, or to Commission inspectors. Any such notice shall be in writing, shall set forth the specific grounds for the notice, and shall be signed by the worker or representative of workers. A copy shall be provided the licensee by the Regional Office Administrator or the inspector no later than at the time of inspection except that, upon the request of the worker giving such notice, his name and the name of individuals referred to therein shall not appear in such copy or on any record published, released or made available by the Commission, except for good cause shown."

2. Agency Use of the Information

With the exception of 10 CFR 19.16, Part 19 information collections are not provided to the Commission; notices, instructions, and reports required by Part 19 are provided by NRC licensees to individuals participating in licensed activities. As stated above, notices received pursuant to 10 CFR 19.16 must be reviewed by the Commission to determine whether the complaint meets certain requirements specified in 10 CFR Part 19. The Commission will then either request an inspection or determine that an inspection is not warranted and so notify the complainant in writing.

3. Reduction of Burden Through Information Technology

NRC encourages licensees to utilize any technology which would reduce the burden of recordkeeping and reporting. Notifications and requests made pursuant to 10 CFR Part 19 must be made in writing. Reports sent to NRC pursuant to 10 CFR Part 19 are not sent electronically. On the average, the NRC receives only one report per year pursuant to 10 CFR Part 19, and this is in response to 10 CFR 19.16. Radiation record information is stored pursuant to 10 CFR Part 20; a majority of licensees currently store these records electronically.

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched for duplication, and none was found.

There is no similar information available to the NRC. Licensees are required to maintain this information by the provisions of 10 CFR Part 20 and to report exposure information to workers pursuant to 10 CFR Part 19.

5. Effort to Reduce Small Business Burden

There is no feasible way of reducing the burden on small businesses while still accomplishing the objective of informing individuals of their exposure to radiation. However, the burden is small and should have no significant impact on operating costs.

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

Workers would not be aware of their total radiation dose.

7. Circumstances which Justify Variation from OMB Guidelines

This action does not vary from OMB guidelines.

8. Consultations Outside the NRC

Opportunity for public comment was published in the Federal Register on March 13, 2001 (66 FR 14598), and no comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

Pursuant to 10 CFR 20.2106(d), information on doses to named individuals is protected under the Privacy Act.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Industry Burden and Burden Hour CostSection 19.12 Instruction to Workers

There are approximately 6,000 licensees in the U.S. All are required to provide instructions to those who are likely to receive in excess of 100 mrem (1 mSv) occupational dose in a year. The time required to provide instruction to their workers in the areas described in 10 CFR 19.12 can vary depending on the size and type of licensee, and this instruction can range from a tour of the workplace pointing out hazards to a 1-week intensive course on radiation protection. Preparation of the training material and dissemination of periodic updates to 10 CFR 19.12-type instructions are considered to be the paperwork burden involved in meeting the requirements of 10 CFR 19.12. Since preparation of training material is a one-time burden incurred when a licensee first obtains its license, most of the burden associated with the current list of 6,000 licensees has already been incurred and therefore is not applicable for this 3-year clearance period. However, approximately 260 per year of the current list of 6,000 licensees are new licensees and therefore will incur a one-time burden in preparation of training material during this 3-year clearance period. The maximum burden is considered to be 80 hours to prepare a 1-week course using existing instructional materials such as Regulatory Guides 8.13, "Instruction Concerning Prenatal Radiation Exposure," and 8.29, "Instruction Concerning Risks from Occupational Radiation Exposure." Roughly as many as 7 percent of the 260 new licensees (18 licensees) will expend this maximum effort (for a total of 1,440 hours). Roughly 15 percent of the 260 new licensees (39 licensees) will expend 40 hours to develop 2-day courses (for a total of 1,560 hours). The balance, approximately 203 licensees, will spend 8 hours to develop basic safety training (for a total of 1,624 hours). Thus, the total annual, one-time burden to comply with the 10 CFR 19.12 requirement to provide initial instruction to workers is estimated at 4,624 hours. To the extent that licensees utilize the instructional material provided in Regulatory Guides 8.13 and 8.29, this burden is reduced.

The dissemination of periodic updates to the information initially provided to workers applies to all 6,000 licensees. Assuming that licensees modify/update the instructions to their workers on the average of once per year and the preparation and dissemination of this material require approximately 1 hour per licensee, then the total annual burden to prepare and disseminate periodic updates to 10 CFR 19.12-type material is 6,000 hours. Therefore, the total annual burden to comply with the requirements of 10 CFR 19.12 is 10,624 hours.

Section 19.13(b) Annual Reports to Current Employees

There are approximately 6,000 licensees in the United States. Of this number, approximately 290 licensees meet the conditions of 10 CFR 20.1502 requiring individual radiation monitoring and are required by 10 CFR 20.2206 to submit annual reports of the results of this monitoring to the NRC. The total number of people monitored by these 290 licensees is about 130,000 individuals. These data are based on reports which licensees have provided the NRC in compliance with the reporting requirement of 10 CFR 20.2206. Since each licensee shall advise each worker annually of the worker's dose and each dose report takes approximately 5 minutes of preparation time, the total compliance burden of 10 CFR 19.13(b) on the population of 290 licensees affected is estimated to be 10,833 staff-hours (130,000 reports/year x 5/60 hours/report = 10,833 hours/year).

Section 19.13(c) Reports to Former Employees

Approximately 290 licensees are affected by the requirement to provide an NRC Form 5 report to former employees of the total dose received while in the employment of the licensee. These licensees submit about 166,000 Form 5 reports to the NRC each year for individuals who are required to be monitored at the end of the monitoring year or for individuals who have terminated their employment at the facility during the monitoring year. However, the number of individuals represented (as contrasted with the number of reports submitted) is around 130,000. This indicates that there is a fairly large transient group that changes employers more than once a year.

Assuming that 78% of the 166,000 Form 5 reports submitted represent individuals who request a report of the radiation dose they received during their entire period of employment at that licensee's facility, the total burden to the licensee in supplying these termination reports is 10,790 hours/year (166,000 reports/year x 0.78 = 129,480 x 5/60 hours/report = 10,790 hours/year).

Section 19.13(d) Reports to Individuals of Exposure Data Contained in Reports to NRC

Section 19.13(d) requires licensees to provide an individual with the same exposure data that licensees are required to send to NRC pursuant to 10 CFR 20.2202, 20.2203, 20.2204 and 20.2206 of 10 CFR Part 20. Sections 20.2202 and 20.2203 require licensees to report to the NRC any incident involving a radiation dose that exceeds NRC limits. Section 20.2204 requires licensees to submit a written report to NRC within 30 days following any planned special exposure, and 10 CFR 20.2206 requires that licensees submit an annual report to NRC of the results of individual monitoring. Since these reports are generated under the requirements of 10 CFR Part 20, there is little additional burden necessary to meet the requirements of 10 CFR Part 19. To satisfy the requirements of 10 CFR Part 19, a copy of the individual's report data from the Part 20 report is provided to the affected individual, requiring less than 5 minutes per report.

Sections 20.2202 and 20.2203 affect approximately 260 licensees. In recent years (since 1991), the number of individuals receiving exposures in excess of regulatory limits has ranged from 6 to 13 persons per year. Assuming that: (1) there is an average of 9 reports per year of personnel receiving exposures in excess of regulatory limits, and (2) that each report takes approximately 5 minutes, the total compliance burden of 10 CFR 19.13(d) (for 10 CFR 20.2202 and 20.2203 reports) is estimated to be less than 1 hour per year ($9 \text{ reports/year} \times 5/60 \text{ hours/report} = 0.75 \text{ hours}$).

The reporting burden of 19.13(d) for 10 CFR 20.2204 reports is approximately .25 hours based on an estimated total of 3 reports per year ($3 \text{ reports/year} \times 5/60 \text{ hours/report} = 0.25 \text{ hours}$).

The reporting burden of 10 CFR 19.13(d) for 20.2206 reports is covered by 10 CFR 19.13(b), above.

The burden for any additional report required by 10 CFR 19.13(d) is minuscule when compared with the burden for 10 CFR 19.13(b) and (c), as shown above.

Section 19.13(e) Report to Terminating Employee

Section 19.13(e) requires that the licensee, at the request of a worker who is terminating employment with the licensee which involved exposure to radiation or radioactive materials, provide a written report to each such worker, at termination, regarding the radiation dose received by the worker.

As these reports involve the same assumptions used for 10 CFR 19.13(c), the total compliance burden of 10 CFR 19.13(e) in the population of 290 affected licensees is estimated to be 10,790 hours per year (assuming 80 percent of employees will request report) ($166,000 \text{ reports/year} \times 0.78 = 129,480 \times 5/60 \text{ hours/report} = 10,790 \text{ hours}$).

Section 19.16(a) Requests by Workers for Inspections

Out of 6,000 licensees in the U.S., it is estimated that the Commission receives only one notification/request each year pursuant to 19.16(a). These written requests are expected to take approximately 30 minutes to prepare. Thus, the total annual burden associated with 10 CFR 19.16(a) is estimated to be 30 minutes.

Total Estimate of Annual Industry Burden

The total estimated industry burden is shown on the attached burden table.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

There is no cost to the Federal government except for that involving requests by workers for inspections. Approximately one worker requests an inspection each year pursuant to 10 CFR 19.16. Each request takes an average of 3 hours to resolve. Thus, the estimated annual cost to the Federal government is \$429 (1 report/year x 3 hours/report x \$143/hour). This cost is fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Changes in Burden or Cost

The net overall burden has decreased from 46,018 to 43,037 hours. This decrease in burden is the result of several changes. One change is that the number of licensees has decreased from an estimate of 6,100 to 6,000, and the number of new licensees also decreased from 300 to 260 with a burden reduction of 828 hours. In addition, the number of reports which must be submitted by each licensee under 19.13 (b), (c), and (e) has decreased the number of responses from an estimated 414,800 to 395,221 and based on these changes, there is an overall decrease in the number of burden hours for these reports from 34,566 to 32,413 with a total burden reduction of 2,153 hours. The net burden reduction is 2,981 hours.

16. Publication for Statistical Use

NRC does not publish this information for statistical use.

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.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

TABLE 1 -- ANNUAL REPORTING BURDEN

<u>SECTION</u>	<u>NO. OF RESPONDENTS</u>	<u>RESPONSES PER RESPONDENT</u>	<u>TOTAL RESPONSES</u>	<u>BURDEN PER RESPONSE</u>	<u>TOTAL BURDEN</u>	<u>COST @ \$143/HR</u>
<u>Reporting</u>						
19.12 (one time)	260	1	260	18 hrs.	4,624	\$ 661,232
19.12	6,000	1	6,000	1 hr.	6,000	\$ 858,000
19.13(b)	290	448	130,000	5.0 min.	10,833	\$1,549,119
19.13(c)	290	446	129,480	5.0 min.	10,790	\$1,542,480
19.13(d)	Covered in Section 19.13(b)					\$ 0
19.13(e)	290	446	129,480	5.0 min.	10,790	\$1,542,480
19.16(a)	1	1	1	30.0 min.	0	0
Total Reporting		1343	395,221		43,037	\$6,154,291

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: Extension
2. The title of the information collection: 10 CFR Part 19, "Notices, Instructions, and Reports to Workers: Inspection and Investigations"
3. The form number if applicable: N/A

4. How often the collection is required: As necessary in order that adequate and timely reports of radiation exposure be made to individuals involved in NRC-licensed activities.
5. Who is required or asked to report: Licensees authorized to receive, possess, use, or transfer material licensed by the NRC.
6. The estimated number of annual responses: 395,221
7. The number of annual respondents: 6000
8. The number of hours needed annually to complete the requirement or request: 43,037 reporting hours
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.
10. Abstract: Title 10 of the Code of Federal Regulations, Part 19, requires licensees to advise workers on an annual basis of any radiation exposure they may have received as a result of NRC-licensed activities or when certain conditions are met. These conditions apply during termination of the worker's employment, at the request of a worker, former worker, or when the worker's employer (the NRC licensee) must report radiation exposure information on the worker to the NRC. Part 19 also establishes requirements for instructions by licensees to individuals participating in licensed activities and options available to these individuals in connection

with Commission inspections of licensees to ascertain compliance with the provisions of the Atomic Energy Act of 1954, as amended, Title II of the Energy Reorganization Act of 1974, and regulations, orders and licenses thereunder regarding radiological working conditions.

The worker should be informed of the radiation dose he or she receives because: (a) that information is needed by both a new employer and the individual when the employee changes jobs in the nuclear industry; (b) the individual needs to know the radiation dose received as a result of an accident or incident (if this dose is in excess of the 10 CFR Part 20 limits) so that he or she can seek counseling about future work involving radiation, medical attention, or both, as desired; and (c) since long-term exposure to radiation may be an adverse health factor, the individual needs to know whether the accumulated dose is being controlled within NRC limits. The worker also needs to know about health risks from occupational exposure to radioactive materials or radiation, precautions or procedures to minimize exposure, worker responsibilities and options to report any licensee conditions which may lead to or cause a violation of Commission regulations, and individual radiation exposure reports which are available to him.

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 (3150-0044)
NEOB-10202
Office of Management and Budget
Washington, DC 20503

Dated at Rockville, Maryland, this 24th day of May, 2001.

For the Nuclear Regulatory Commission.

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

