

FINAL SUPPORTING STATEMENT
FOR
NRC FORM 314
CERTIFICATE OF DISPOSITION OF MATERIALS
(10 CFR Sections 30.36(c), 40.42(c), 70.38(c))
(3150-0028)

EXTENSION

Description of the Information Collection

NRC Form 314 is submitted by a materials licensee who wishes to terminate its license. The form provides information needed by NRC to determine whether the licensee has radioactive materials on hand which must be transferred or otherwise disposed of prior to expiration or termination of the license.

A. Justification

1. Need for and Practical Utility of the Information Collection

NRC licenses to possess and use specified radioactive materials are issued for a term of ten years. A notice of expiration of license is mailed to such licensees 120 days prior to expiration of the license. Included with the notice is a set of application forms for use if the licensee wishes to apply for renewal of the license, and a copy of NRC Form 314, "Certificate of Disposition of Materials," for use if renewal is not desired. If the licensee does not submit an application for renewal of the license, NRC requires, as part of its process for terminating the license and closing out the file, that the licensee notify the Commission in writing of that termination decision (10 CFR 30.36(c), 40.42(c), 70.38(c)). In connection with, but separate from, that notification, licensees submit an NRC Form 314, which furnishes information regarding transfer or other disposition of the radioactive material or indicates that no materials have been procured.

2. Agency Use of the Information

The NRC staff reviews NRC Form 314 to determine whether the licensee has materials on hand which must be transferred or otherwise disposed of prior to expiration or termination of the license and, if materials have been transferred or disposed of, to determine whether transfer or disposition of the materials has been in accordance with NRC regulations. The information submitted on Form 314 constitutes part of the basis for the determination by NRC that the facility has been cleared of radioactive material before the facility is released for unrestricted use.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. However, because of the types of information and

the infrequency of submission, the application form does not lend itself readily to the use of automated information technology for submission.

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched to identify duplication. None was found. There is no similar information available to the NRC.

5. Effort to Reduce Small Business Burden

The information is required from all materials licensees terminating their licenses. Some of the licensees who use byproduct, source, or special nuclear material are small entities. To the extent that small entities may possess less material than large entities, the burden of accounting for it on the form might be proportionately less. However, since the need for NRC to determine whether radioactive materials have been safely transferred or disposed of and whether the facility has been cleared of radioactive material before release is the same for large and small entities, it is not possible to reduce the burden on small entities by less frequent or less complete reporting of this one-time requirement.

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

This report is only submitted once, upon termination of the license. If the report were not submitted at that time, the NRC would not be able to determine readily whether any radioactive materials remain on the site, whether disposition of materials has been made in accordance with the regulations, and whether the site has been cleared of radioactive materials and may be released for unrestricted use.

7. Circumstances Which Justify Variation from OMB Guidelines

There are no variations from OMB Guidelines.

8. Consultations Outside the Agency

Opportunity for public comment on the information collection requirements was published in the Federal Register on February 22, 2001 (66 FR 11187), and no comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

NRC provides no pledge of confidentiality for this collection. To the extent information is business confidential, procedures are in place to protect the information from improper disclosure.

11. Justification for Sensitive Questions

None.

12. Estimated Burden and Burden Hour Cost

Respondents are firms, institutions, and individuals holding NRC licenses to possess and use radioactive materials who do not wish to renew those licenses.

Approximately 400 respondents annually file one NRC Form 314.

Each form requires, on average, approximately 0.5 hour to prepare.

$400 \times 0.5 \text{ hour} = \text{a total annual burden for all respondents of 200 hours.}$

The annual cost to the public, calculated at a rate of \$143 per hour, is estimated to be \$28,600.

13. Estimate of Other Additional Costs

None. For licensees submitting Form 314, it is most likely that purchases of equipment and services were made (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

14. Estimated Annualized Cost to the Federal Government

The annual cost to the Federal government is estimated to be \$14,560 (20 hrs professional (for review of submitted forms) @ \$143/hr = \$2,860 plus 180 hours clerical (administrative effort of logging in submittals, docketing, performing data entry, and dispatching completed cases) @ \$65/hr = \$11,700. This cost is fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and 171.

15. Reasons for Change in Burden or Cost

There is no change in burden.

16. Publication for Statistical Use

None.

17. Reason for Not Displaying Expiration Date

Not applicable. The expiration date is displayed on the form.

18. Exceptions to the Certification Statement

None.

B. Collection of Information Employing Statistical Methods

Statistical methods are not used in this collection of information.

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:
NRC Form 314 - Certificate of Disposition of Materials.

3. The form number if applicable: NRC Form 314
4. How often the collection is required: The form is submitted once, when a licensee terminates its license.
5. Who is required or asked to report: Persons holding an NRC license for the possession and use of radioactive byproduct, source, or special nuclear material who are ceasing licensed activities and terminating the license.
6. An estimate of the number of responses: 400
7. The estimated number of annual respondents: 400
8. The number of hours needed annually to complete the requirement or request: An average of 0.5 hours per response, for a total of 200 hours.
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.
10. Abstract: NRC Form 314 furnishes information to NRC regarding transfer or other disposition of radioactive material by licensees who wish to terminate their licenses. The information is used by NRC as part of the basis for its determination that the facility has been cleared of radioactive material before the facility is released for unrestricted use.

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 (3150-0028)
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

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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

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