

**PAPERWORK REDUCTION ACT SUBMISSION**

*Designated Original + PDR*

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: **Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

<p>1. Agency/Subagency originating request <b>U.S. Nuclear Regulatory Commission</b></p>	<p>2. OMB control number  <input type="checkbox"/> a. <b>3150 - 0017</b>      <input type="checkbox"/> b. None</p>
<p>3. Type of information collection (<i>check one</i>)</p> <p><input type="checkbox"/> a. New collection</p> <p><input checked="" type="checkbox"/> b. Revision of a currently approved collection</p> <p><input type="checkbox"/> c. Extension of a currently approved collection</p> <p><input type="checkbox"/> d. Reinstatement, <b>without change</b>, of a previously approved collection for which approval has expired</p> <p><input type="checkbox"/> e. Reinstatement, <b>with change</b>, of a previously approved collection for which approval has expired</p> <p><input type="checkbox"/> f. Existing collection in use without an OMB control number</p>	<p>4. Type of review requested (<i>check one</i>)</p> <p><input checked="" type="checkbox"/> a. Regular      <input type="checkbox"/> c. Delegated</p> <p><input type="checkbox"/> b. Emergency - Approval requested by (date):</p> <p>5. Will this information collection have a significant economic impact on a substantial number of small entities?  <input type="checkbox"/> a. Yes  <input checked="" type="checkbox"/> b. No</p> <p>6. Requested expiration date  <input type="checkbox"/> a. Three years from approval date  <input checked="" type="checkbox"/> b. Other (Specify): <b>10/31/2001</b></p>
<p>7. Title <b>10 CFR 30, Rules of General Applicability to Domestic Licensing of Byproduct Material</b></p>	
<p>8. Agency form number(s) (<i>if applicable</i>) <b>Not applicable</b></p>	
<p>9. Keywords <b>Reporting and recordkeeping requirements, Byproduct material, Nuclear materials</b></p>	
<p>10. Abstract <b>NRC has identified two sections of Part 30 that contain burden not previously captured in the clearance approval: for certain special circumstances to ensure health and safety, the submittal of additional application information and the imposition of additional license conditions that require additional reporting or recordkeeping.</b></p>	
<p>11. Affected public (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p><input type="checkbox"/> a. Individuals or households      <input type="checkbox"/> d. Farms</p> <p><input checked="" type="checkbox"/> b. Business or other for-profit      <input type="checkbox"/> e. Federal Government</p> <p><input type="checkbox"/> c. Not-for-profit institutions      <input checked="" type="checkbox"/> f. State, Local or Tribal Government</p>	<p>12. Obligation to respond (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p><input type="checkbox"/> a. Voluntary</p> <p><input type="checkbox"/> b. Required to obtain or retain benefits</p> <p><input checked="" type="checkbox"/> c. Mandatory</p>
<p>13. Annual reporting and recordkeeping hour burden</p> <p>a. Number of respondents      <u>6,552</u></p> <p>b. Total annual responses      <u>2,285</u></p> <p>    1. Percentage of these responses collected electronically      <u>0.0</u> %</p> <p>c. Total annual hours requested      <u>160,919</u></p> <p>d. Current OMB inventory      <u>158,788</u></p> <p>e. Difference      <u>2,131</u></p> <p>f. Explanation of difference</p> <p>    1. Program change      _____</p> <p>    2. Adjustment      <u>2,131</u></p>	<p>14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>)</p> <p>a. Total annualized capital/startup costs      <u>0</u></p> <p>b. Total annual costs (O&amp;M)      <u>0</u></p> <p>c. Total annualized cost requested      <u>0</u></p> <p>d. Current OMB inventory      <u>0</u></p> <p>e. Difference      <u>0</u></p> <p>f. Explanation of difference</p> <p>    1. Program change      _____</p> <p>    2. Adjustment      _____</p>
<p>15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>)</p> <p><input type="checkbox"/> a. Application for benefits      <input type="checkbox"/> e. Program planning or management</p> <p><input type="checkbox"/> b. Program evaluation      <input type="checkbox"/> f. Research</p> <p><input type="checkbox"/> c. General purpose statistics      <input checked="" type="checkbox"/> g. Regulatory or compliance</p> <p><input type="checkbox"/> d. Audit</p>	<p>16. Frequency of recordkeeping or reporting (<i>check all that apply</i>)</p> <p><input checked="" type="checkbox"/> a. Recordkeeping      <input type="checkbox"/> b. Third-party disclosure</p> <p><input checked="" type="checkbox"/> c. Reporting</p> <p>    <input checked="" type="checkbox"/> 1. On occasion      <input type="checkbox"/> 2. Weekly      <input type="checkbox"/> 3. Monthly</p> <p>    <input type="checkbox"/> 4. Quarterly      <input type="checkbox"/> 5. Semi-annually      <input type="checkbox"/> 6. Annually</p> <p>    <input type="checkbox"/> 7. Biennially      <input type="checkbox"/> 8. Other (describe)</p>
<p>17. Statistical methods</p> <p>Does this information collection employ statistical methods?</p> <p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p>	<p>18. Agency contact (<i>person who can best answer questions regarding the content of this submission</i>)</p> <p>Name: <u>Carrie Brown</u></p> <p>Phone: <u>301-415-8092</u></p>

*DF03*

## 19. Certification for Paperwork Reduction Act Submissions

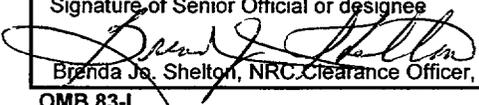
On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8 (b) (3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8 (b) (3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
  - (v) Nature of extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Authorized Agency Official	Date
Signature of Senior Official or designee  Brenda Jo Shelton, NRC Clearance Officer, Office of the Chief Information Officer	Date 9/6/01

FINAL SUPPORTING STATEMENT FOR 10 CFR PART 30,  
"RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF  
BYPRODUCT MATERIAL"

(3150-0017)

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CLEARANCE REVISION

Description of Information Collection

The Nuclear Regulatory Commission's regulations in 10 CFR Part 30 establish rules applicable to all persons in the United States governing domestic licensing of radioactive byproduct material. The regulations were issued pursuant to the Atomic Energy Act of 1954, as amended, Title II of the Energy Reorganization Act of 1974, as amended, and exemptions from the domestic licensing requirements permitted by Section 81 of the Act. Among the provisions of the licenses issued by the Nuclear Regulatory Commission are conditions which impose requirements on the licensee, including reporting and recordkeeping.

Some of the conditions imposed are specific to the particular licensee as dictated by that licensee's particular facilities, equipment, or type of use of material. Other conditions are applied more generally--some to all licensees, and some to certain types of licensees based on the category of use of radioactive material (e.g., radiography, medical human use, etc.). These are known as "standard license conditions." Standard license conditions are utilized by all NRC regions to ensure that provisions for protection of public health and safety are imposed consistently among licensees. They are used in conjunction with the requirements in Title 10 of the Code of Federal Regulations (10 CFR) that the licensee commits to when applying for a license. Standard license conditions which contain reporting or recordkeeping requirements are described in detail below. This ongoing burden has not been previously captured in the 10 CFR Part 30 clearance. This revision to the 10 CFR Part 30 clearance extension covers only the additional requirements and burden for standard license conditions. These requirements will be incorporated into the complete Part 30 clearance extension when it is renewed in October 2002.

A. Justification

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

Section 30.34(b) requires in part that licensees provide full information before transferring, assigning, or in any manner disposing of any license through transfer of control to any person. No action is required of a licensee unless and until a transfer of control is initiated.

The information required by Section 30.34(b) is necessary to verify that the licensing information that was previously submitted on Form 313, "Application for Material License," is still correct, and to permit the NRC to determine whether the proposed licensee provides adequate resources to protect public health and safety. The NRC review of the information and the findings therefrom form the basis for NRC's licensing decision. NRC Form 313, "Application for Material License," has previously been cleared under OMB Clearance No. 3150-0120 and the burden for the general licensing information has been included herein. This should be referred to for additional supporting information, burden, and cost data.

The full information that must be provided by the licensee prior to transferring, assigning or disposing through transfer of control includes the following:

- a. A complete description of the transaction (transfer of stocks or assets, or merger). The licensee must indicate whether the name has changed and include the new name, and must include the name and telephone number of a licensee contact who NRC may contact if more information is needed.
- b. A description of any changes in personnel or duties that relate to the licensed program, including training and experience for new personnel.
- c. A description of any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.
- d. A description of the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.
- e. A confirmation that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
- f. A confirmation that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.

This information is needed to assure NRC that the transferee is qualified to gain control of an NRC-licensed operation.

Section 30.34(e)(4) permits the Commission to incorporate in any license issued pursuant to the regulations in 10 CFR Parts 30-36 and 39 additional requirements and conditions with respect to the licensee's receipt, possession, use, and transfer of byproduct material. In addition, reports and the keeping of records may be required, as necessary, to fulfill the purposes of the Atomic Energy Act and regulations of the Commission.

Some of the conditions imposed are specific to the particular licensee as dictated by that licensee's particular facilities, equipment, or type of use of material. Other conditions are applied more generally--some to all licensees, and some to certain types of licensees based on the category of use of radioactive material (e.g., radiography, medical human use, etc.). These "standard license conditions" ensure that provisions for protection of public health and safety are imposed consistently among licensees. They are used in conjunction with the requirements in Title 10 of the Code of Federal Regulations, and the licensee must commit to them when applying for a license. Those standard license conditions which contain reporting or recordkeeping requirements are described in detail below.

- a. Conditions 22 and 23 Licensed material shall only be used by, or under the supervision of, individuals designated, in writing, by the Radiation Safety Committee or Radiation Safety Officer. The licensee shall maintain records of individuals designated as users for 3 years after the individual's last use of licensed material.

The retention of records of individuals designated as users of licensed material is necessary to establish and maintain a reference that can be used by NRC and licensees of all authorized users. Not all authorized users are listed on licenses and the record of the Radiation Safety Committee's or Radiation Safety Officer's designation is the only record of individuals being recognized as authorized users.

- b. Condition 132 The licensee shall report to the U.S. Nuclear Regulatory Commission's Regional Office referenced in Appendix D of 10 CFR Part 20, within 10 days after discovery of loss of contact with a nuclear-powered pacemaker patient.

The information submitted by the licensees is needed to alert NRC's regional office of the loss of contact with an individual having a pacemaker containing radioactive material so that NRC can determine what if any immediate actions are necessary.

- c. Condition 133 The licensee shall maintain records of, and written procedures for, patient follow-up and replacement of the nuclear powered pacemaker during the life of the patient. The licensee must also maintain records of, and written procedures for, recovery and authorized disposal of the nuclear powered pacemaker by returning it to the manufacturer upon the death of the patient.

The records and procedures for patient follow-up and replacement must be available for patient treatment and for recovering the nuclear pacemaker until the death of the patient. Retention of the records and procedures for recovery and authorized disposal of the nuclear pacemaker is considered information important to decommissioning and therefore must be maintained until the facility is decommissioned as required by 10 CFR 70.25(g).

- d. Condition 164 The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U. S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.

The retention of records of inventories is necessary to ensure that licensees are accountable for radioactive material authorized under their license.

- e. Condition 165(i) The licensee shall maintain records of leak tests results for 5 years.

Records of leak tests results are necessary to demonstrate that leak tests were completed as required and that the source was not leaking.

## 2. Agency Use of the Information

The records that 10 CFR Part 30 requires the licensees to maintain are reviewed during inspections, license renewals, and license amendment reviews to evaluate compliance with NRC radiation safety requirements for possession and use of byproduct material.

3. Reduction of Burden through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages applicants and licensees to use new automated information technology when it would be beneficial to them and they may also retain records electronically. However, the reports do not lend themselves readily to the use of automated information technology for submission because of the varied types of information and the infrequency of submission. Consequently, the current percentage of electronic submissions is zero.

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched to determine duplication. None was found. In general, information required by NRC in applications, reports, forms, or records concerning the transfer, receipt, possession, or use of byproduct material does not duplicate other Federal information collection requirements and is not available from any source other than applicants or licensees.

There is no similar information available to the NRC that can be used to evaluate compliance with NRC requirements governing the domestic licensing of byproduct material; to ensure public health and safety from NRC-licensed activities; and to identify trends and events that must be corrected to ensure continued safe practices.

5. Effort to Reduce Small Business Burden

The majority of licensees who use byproduct material are small businesses. Since the health and safety consequences of improper handling or use of radioactive byproduct material are the same for large and small entities, it is not possible to reduce the burden on small businesses by less frequent or less complete reporting, recordkeeping, or accounting and control procedures.

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

If the information is not collected, NRC will have no way to assess whether this category of licensee is operating within the radiation safety requirements applicable to the possession, use, or transfer of byproduct material.

7. Circumstances Which Justify Variation from OMB Guidelines

Contrary to the Office of Management and Budget Guidelines (OMB) in 5 CFR 1320.5(d)(2),

- a. Condition 132 requires licensees to report to the U.S. Nuclear Regulatory Commission's Regional Office referenced in Appendix D of 10 CFR Part 20, within 10 days after discovery of loss of contact with a nuclear-powered pacemaker patient. This report is needed so that NRC may determine if any immediate actions are necessary.

- b. Condition 133 requires that records and procedures for patient follow-up and replacement be available for patient treatment and for recovering the nuclear pacemaker until the death of the patient.

Retention of the records and procedures for recovery and authorized disposal of the nuclear pacemaker is considered information important to decommissioning and therefore must be maintained until the facility is decommissioned as required by 10 CFR 70.25(g).

- c. Condition 164 requires that records of inventories be maintained for 5 years from the date of each inventory so that they will be available for review during inspections for materials accountability.
- d. Condition 165(i) requires that licensees maintain records of leak tests results for 5 years so that they will be available for review during inspections to demonstrate compliance with NRC radiation safety requirements.

#### 8. Consultations with Public

Notice of opportunity for comment was published in the Federal Register on May 30, 2001 (66 FR 29346). No comments were received.

#### 9. Payment or Gift to Respondents

Not applicable.

#### 10. Confidentiality of the Information

Reports submitted are generally subject to public disclosure in accordance with 10 CFR 2.790 and 10 CFR Part 9. Section 2.790 allows the NRC to withhold certain proprietary information (information of commercial value or "trade secrets") if, at the time of submittal of the report, the requirements for withholding the information are met (refer to 10 CFR 2.790(b)). Also, there are provisions in 10 CFR Part 9 for the NRC to withhold some documents, such as reports of radiation exposure to individuals and other personal records, from public disclosure.

#### 11. Justification for Sensitive Questions

This information collection does not involve sensitive questions.

12. Estimated Burden and Burden Hour Cost

NRC Licensees:

The estimates are based on submittals to NRC in past years. The cost to licensees and applicants is calculated at a rate of \$143 per hour for professional staff for the technical reports and records prepared in response to the 10 CFR Part 30 information collection requirements. This rate is based on NRC's fully recoverable fee rate.

The total annual burden is estimated to be about 608 hours per year for 1872 licensees. The details are shown in Tables 1 and 2. The total cost for the NRC licensees would be 608 hours x \$143/hour, giving a total cost burden of \$86,944.

Agreement State Licensees:

NRC estimates that there are approximately 2.5 times the number of Agreement State licensees as there are NRC licensees.

The total annual burden is estimated to be about 1523 hours per year for 4680 Agreement State licensees. The details are shown in Tables 3 and 4. The total cost for Agreement State Licensees would be 1523 hours x \$143/hour, giving a total cost burden of \$217,789.

The total additional burden to be added to 10 CFR Part 30 for the inclusion of license conditions is 2131 hours (608 hours for NRC licensees + 1523 hours for Agreement State licensees).

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

Application review activities are attributable to and reported under NRC Form 313, OMB Clearance No. 3150-0120.

The collection and review of information will require an average of 0.33 hours of NRC staff time per report. For an estimated 162 reports reviewed annually, the collection will require 54 hours per year (.33x162). Annual labor costs at \$143 per staff hour will be \$7,722.

15. Reasons for Changes in Burden or Cost

This revision to the 10 CFR Part 30 clearance adds the burden for license conditions that has not been previously captured in the clearance. The burden for license conditions will add 2131 hours to the currently approved clearance.

16. Publication for Statistical Use

There is no application to statistics in the information collected. There are no plans for publication of this information.

17. Reason for Not Displaying the Expiration Date

The requirements are 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

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

**Table 1 License Condition (LC) Reporting Requirements - NRC Licensees**

<b>Section</b>	<b>Number of Licensee Responses Annually</b>	<b>Licensee Staff Hours Per Submittal</b>	<b>Total Annual Licensee Burden (Hours)</b>
30.34(b)	160	2	320
30.34(e)(4) LC 132	2	.5	1
<b>TOTAL</b>	<b>162</b>		<b>321</b>

**Table 2 - License Condition (LC) Recordkeeping Requirements - NRC Licensees**

<b>Section</b> <b>30.34(e)</b>	<b>Number of Recordkeepers</b>	<b>Licensee Staff Hours Per Recordkeeper</b>	<b>Total Annual Recordkeeper Burden (Hours)</b>
LCs 22 & 23	124	.5	62
LC 133	1	1	1
LC 164	1872	.06	112
LC 165(i)	1872	.06	112
<b>TOTAL</b>	<b>1872</b>		<b>287</b>

**TOTAL ANNUAL BURDEN HOURS = 608 (321 + 287)**

**Table 3 - License Condition (LC) Reporting Requirements - Agreement States**

<b>Section</b>	<b>Number of Licensee Responses Annually</b>	<b>Licensee Staff Hours Per Submittal</b>	<b>Total Annual Licensee Burden (Hours)</b>
30.34(b)	400	2	800
30.34(e)(4) LC 132	5	.5	3
<b>TOTAL</b>	<b>405</b>		<b>803</b>

**Table 4 - License Condition (LC) Recordkeeping Requirements - Agreement States**

<b>Section 30.34(e)(4)</b>	<b>Number of Recordkeepers</b>	<b>Licensee Staff Hours Per Recordkeeper</b>	<b>Total Annual Recordkeep Burden (Hours)</b>
LCs 22 & 23	310	.5	155
LC 133	3	1	3
LC 164	4680	.06	281
LC 165(i)	4680	.06	281
<b>TOTAL</b>	<b>4680</b>		<b>720</b>

**TOTAL ANNUAL BURDEN HOURS = 1523 (803 + 720)**

FINAL SUPPORTING STATEMENT FOR 10 CFR PART 30,  
"RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF  
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(3150-0017)

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3. Reduction of Burden through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages applicants and licensees to use new automated information technology when it would be beneficial to them and they may also retain records electronically. However, the reports do not lend themselves readily to the use of automated information technology for submission because of the varied types of information and the infrequency of submission. Consequently, the current percentage of electronic submissions is zero.

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched to determine duplication. None was found. In general, information required by NRC in applications, reports, forms, or records concerning the transfer, receipt, possession, or use of byproduct material does not duplicate other Federal information collection requirements and is not available from any source other than applicants or licensees.

There is no similar information available to the NRC that can be used to evaluate compliance with NRC requirements governing the domestic licensing of byproduct material; to ensure public health and safety from NRC-licensed activities; and to identify trends and events that must be corrected to ensure continued safe practices.

5. Effort to Reduce Small Business Burden

The majority of licensees who use byproduct material are small businesses. Since the health and safety consequences of improper handling or use of radioactive byproduct material are the same for large and small entities, it is not possible to reduce the burden on small businesses by less frequent or less complete reporting, recordkeeping, or accounting and control procedures.

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

If the information is not collected, NRC will have no way to assess whether this category of licensee is operating within the radiation safety requirements applicable to the possession, use, or transfer of byproduct material.

7. Circumstances Which Justify Variation from OMB Guidelines

Contrary to the Office of Management and Budget Guidelines (OMB) in 5 CFR 1320.5(d)(2),

- a. Condition 132 requires licensees to report to the U.S. Nuclear Regulatory Commission's Regional Office referenced in Appendix D of 10 CFR Part 20, within 10 days after discovery of loss of contact with a nuclear-powered pacemaker patient. This report is needed so that NRC may determine if any immediate actions are necessary.

- b. Condition 133 requires that records and procedures for patient follow-up and replacement be available for patient treatment and for recovering the nuclear pacemaker until the death of the patient.

Retention of the records and procedures for recovery and authorized disposal of the nuclear pacemaker is considered information important to decommissioning and therefore must be maintained until the facility is decommissioned as required by 10 CFR 70.25(g).

- c. Condition 164 requires that records of inventories be maintained for 5 years from the date of each inventory so that they will be available for review during inspections for materials accountability.
- d. Condition 165(i) requires that licensees maintain records of leak tests results for 5 years so that they will be available for review during inspections to demonstrate compliance with NRC radiation safety requirements.

#### 8. Consultations with Public

Notice of opportunity for comment was published in the Federal Register on May 30, 2001 (66 FR 29346). No comments were received.

#### 9. Payment or Gift to Respondents

Not applicable.

#### 10. Confidentiality of the Information

Reports submitted are generally subject to public disclosure in accordance with 10 CFR 2.790 and 10 CFR Part 9. Section 2.790 allows the NRC to withhold certain proprietary information (information of commercial value or "trade secrets") if, at the time of submittal of the report, the requirements for withholding the information are met (refer to 10 CFR 2.790(b)). Also, there are provisions in 10 CFR Part 9 for the NRC to withhold some documents, such as reports of radiation exposure to individuals and other personal records, from public disclosure.

#### 11. Justification for Sensitive Questions

This information collection does not involve sensitive questions.

12. Estimated Burden and Burden Hour Cost

NRC Licensees:

The estimates are based on submittals to NRC in past years. The cost to licensees and applicants is calculated at a rate of \$143 per hour for professional staff for the technical reports and records prepared in response to the 10 CFR Part 30 information collection requirements. This rate is based on NRC's fully recoverable fee rate.

The total annual burden is estimated to be about 608 hours per year for 1872 licensees. The details are shown in Tables 1 and 2. The total cost for the NRC licensees would be 608 hours x \$143/hour, giving a total cost burden of \$86,944.

Agreement State Licensees:

NRC estimates that there are approximately 2.5 times the number of Agreement State licensees as there are NRC licensees.

The total annual burden is estimated to be about 1523 hours per year for 4680 Agreement State licensees. The details are shown in Tables 3 and 4. The total cost for Agreement State Licensees would be 1523 hours x \$143/hour, giving a total cost burden of \$217,789.

The total additional burden to be added to 10 CFR Part 30 for the inclusion of license conditions is 2131 hours (608 hours for NRC licensees + 1523 hours for Agreement State licensees).

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

Application review activities are attributable to and reported under NRC Form 313, OMB Clearance No. 3150-0120.

The collection and review of information will require an average of 0.33 hours of NRC staff time per report. For an estimated 162 reports reviewed annually, the collection will require 54 hours per year (.33x162). Annual labor costs at \$143 per staff hour will be \$7,722.

15. Reasons for Changes in Burden or Cost

This revision to the 10 CFR Part 30 clearance adds the burden for license conditions that has not been previously captured in the clearance. The burden for license conditions will add 2131 hours to the currently approved clearance.

16. Publication for Statistical Use

There is no application to statistics in the information collected. There are no plans for publication of this information.

17. Reason for Not Displaying the Expiration Date

The requirements are 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

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

**Table 1 License Condition (LC) Reporting Requirements - NRC Licensees**

<b>Section</b>	<b>Number of Licensee Responses Annually</b>	<b>Licensee Staff Hours Per Submittal</b>	<b>Total Annual Licensee Burden (Hours)</b>
30.34(b)	160	2	320
30.34(e)(4) LC 132	2	.5	1
<b>TOTAL</b>	<b>162</b>		<b>321</b>

**Table 2 - License Condition (LC) Recordkeeping Requirements - NRC Licensees**

<b>Section 30.34(e)</b>	<b>Number of Recordkeepers</b>	<b>Licensee Staff Hours Per Recordkeeper</b>	<b>Total Annual Recordkeeper Burden (Hours)</b>
LCs 22 & 23	124	.5	62
LC 133	1	1	1
LC 164	1872	.06	112
LC 165(i)	1872	.06	112
<b>TOTAL</b>	<b>1872</b>		<b>287</b>

**TOTAL ANNUAL BURDEN HOURS = 608 (321 + 287)**

**Table 3 - License Condition (LC) Reporting Requirements - Agreement States**

<b>Section</b>	<b>Number of Licensee Responses Annually</b>	<b>Licensee Staff Hours Per Submittal</b>	<b>Total Annual Licensee Burden (Hours)</b>
30.34(b)	400	2	800
30.34(e)(4) LC 132	5	.5	3
<b>TOTAL</b>	<b>405</b>		<b>803</b>

**Table 4 - License Condition (LC) Recordkeeping Requirements - Agreement States**

<b>Section</b> <b>30.34(e)(4)</b>	<b>Number of Recordkeepers</b>	<b>Licensee Staff Hours Per Recordkeeper</b>	<b>Total Annual Recordkeep Burden (Hours)</b>
LCs 22 & 23	310	.5	155
LC 133	3	1	3
LC 164	4680	.06	281
LC 165(i)	4680	.06	281
<b>TOTAL</b>	<b>4680</b>		<b>720</b>

**TOTAL ANNUAL BURDEN HOURS = 1523 (803 + 720)**

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: 10 CFR Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material - Revision to include burden for license conditions and additional burden for transferring a license.

3. The form number if applicable: N/A
4. How often the collection is required: On occasion. Reports are submitted upon license transfer or as events occur. Recordkeeping must be performed on an on-going basis.
5. Who will be required or asked to report: Persons applying for or holding a license to manufacture, produce, transfer, receive, acquire, own, possess, or use radioactive byproduct material.
6. An estimate of the number of responses: 567 (162 responses for NRC licensees and 405 responses for Agreement State licensees).
7. The estimated number of annual respondents: 6552 (1872 NRC licensees and 4680 Agreement State licensees).
8. An estimate of the total number of hours needed annually to complete the requirement or request: 2131 (an average of 2 hours per response for 567 responses and 9 minutes for each of 6552 recordkeepers).
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.

10. Abstract: The NRC's regulations in 10 CFR Part 30 establish rules, applicable to all persons in the United States, governing domestic licensing of radioactive byproduct material. The NRC has identified two Sections of 10 CFR Part 30 that contain burden that has not been previously captured in the supporting statement for 10 CFR Part 30. This burden is submitted as an addition to the current 10 CFR Part 30 clearance. In 10 CFR 30.34(b), the NRC requires the submittal of information that may not have been required on the previously submitted Form 313, "Application for Material License." In addition, 10 CFR 30.34(e)(4) permits the NRC to impose additional conditions in the license under certain circumstances. These conditions may require additional reporting and recordkeeping requirements. The conditions are used in conjunction with the requirements in Title 10 of the Code of Federal Regulations (10 CFR).

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

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considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

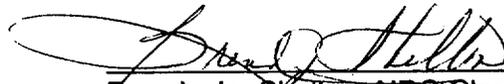
Bryon Allen  
Office of Information and Regulatory Affairs (3150-0017)  
NEOB-10202  
Office of Management and Budget  
Washington, DC 20503

Comments can also be submitted by telephone at (202) 395-3087.

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

Dated at Rockville, Maryland, this 6<sup>th</sup> day of September 2001.

For the Nuclear Regulatory Commission.



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

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/s/ /RA/

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