

DRAFT OMB SUPPORTING STATEMENT FOR
IAEA FORM N-71 (AND THE APPROPRIATE ASSOCIATED IAEA FORM),
DESIGN INFORMATION QUESTIONNAIRE (10 CFR SECTION 75.11)
(3150-0056)

EXTENSION

Description of the Information Collection

In order for the United States to fulfill its responsibilities as a participant in the US/IAEA Safeguards Agreement, it is necessary for licensees affected by 10 CFR Part 75 and related sections of Parts 40, 50, 70, and 150 to submit information concerning their installation for the use of the International Atomic Energy Agency (IAEA). IAEA Form N-71 (and the appropriate associated IAEA Form), "Design Information Questionnaire," is used for the collection of this information.

All facilities that appear on the U.S. eligible list are required to complete and submit an IAEA Form N-71 (and the appropriate associated IAEA Form) upon written request by the NRC. The U.S eligible list is a list filed with the Commission by the Secretary of State or his designee of installations eligible for IAEA safeguards under the US/IAEA Safeguards Agreement. Holders of construction permits may be requested in writing by the Commission to submit an IAEA Form N-71 (and the appropriate associated IAEA Form). In addition, applicants for certain source or special nuclear material licenses are required to submit an IAEA Form N-71 (and the appropriate associated IAEA Form) as specified in 10 CFR Sections 40.31(g), 50.78, 70.21(g), and 150.17(a).

A. JUSTIFICATION

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

The information required by IAEA Form N-71 (and the appropriate associated IAEA Form), as indicated in 10 CFR Part 75.11, includes identification of the installation, description of the general arrangement of the installation, a description of features of the installation, a description of the existing and proposed procedures at the installation for nuclear material accounting and control, and information with regard to any modification of the installation.

The information submitted on IAEA Form N-71 (and the appropriate associated IAEA Form) is used by the NRC staff to provide information to the IAEA on nuclear installations so that the United States can fulfill its responsibilities as a participant in the US/IAEA Safeguards Agreement.

2. Agency Use of the Information

NRC uses the information in Form N-71 (and the appropriate associated IAEA Form) to collect, retrieve, analyze as necessary, and submit the data to IAEA to fulfill its reporting responsibilities. Without this report form, NRC's ability to collect and provide this data would be severely limited.

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, licensees are only required to file one report with subsequent minor updates. The current rate of electronic submittal of the IAEA Form N-71 (and the appropriate associated IAEA Form) is zero.

4. Effort to Identify Duplication and Use Similar Information

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

5. Effort to Reduce Small Business Burden

NRC has determined that the licensees required to submit IAEA Form N-71 (and the appropriate associated IAEA Form) are not small entities or businesses as those terms are used in the Regulatory Flexibility Act.

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

The report is required by international agreement. If the collection were not conducted, the United States would not be in compliance with an international agreement to which it is a signatory.

7. Circumstances Which Justify Variation from OMB Guidelines

Contrary to the OMB guidelines in 5 CFR 1320.5(d), fifteen copies of the IAEA Form N-71 (and the appropriate associated IAEA Form) are required to be submitted. The copies are required for distribution to the IAEA, Department of State, the Arms Control and Disarmament Agency, the Department of Energy, the IAEA Project Officer, and the selected facilities files.

8. Consultations Outside the NRC

An opportunity for public comment on the information collection requirements for this clearance package has been published in the Federal Register.

9. Payment or Gifts to Respondents

Not applicable.

10. Confidentiality of Information

Confidentiality is provided for this collection of information. The completed IAEA Form N-71 (and the appropriate associated IAEA Form) is submitted to the International Atomic Energy Agency, which classifies the information "Safeguards

Confidential," meaning that the information may not be released to any other country, company, or individual.

11. Justification for Sensitive Questions

None.

12. Estimate of Burden and Burden Hour Cost

Licensees may have to submit Form N-71 upon written request from the NRC. Experience has indicated that over the past 20 years, 14 licensees have been requested by the NRC to submit this form. Thus, the estimated annual number of responses is 1. The burden for preparation and submission of each IAEA Form N-71 (and the appropriate associated IAEA form) is 360 hours. Thus, the total annual burden is estimated to be 360 hours (1 response per year x 360 hours per response). The estimated annual cost to industry is \$51,840 (360 hours x \$144 per hour). Cost is calculated at a rate of \$144 per hour which is based on NRC's fee recovery rate. Each licensee will only be required to submit this form one time.

13. Estimate of Other Additional Costs

NRC has determined that the storage and equipment costs per foot are approximately \$45. The quantity of records to be maintained is roughly proportional to the recordkeeping burden. Based on the number of pages maintained for a typical clearance, the records storage cost has been determined to be equal to .0004 percent of the recordkeeping burden cost. Therefore, the storage cost for this clearance is insignificant (400 recordkeeping hours x .0004 = 0.16).

14. Estimated Annualized Cost to the Federal Government

Approximately 20 hours is expended annually for the processing, review and evaluation, and further dissemination of each IAEA Form N-71 (and the appropriate associated IAEA Form). The estimated annual cost to the government is \$2,880 (20 hours/form x 1 form x \$144/hr). This cost is fully recovered through license fees assessed to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Change in Burden or Cost

The overall burden estimate for IAEA Form N-71 has remained the same. There has been an increase in the overall cost as a result of an increase in the rate from \$125/hr to \$144/hr.

16. Publication for Statistical Use

This information will not be published for statistical use.

17. Reason for Not Displaying the Expiration Date

Not applicable.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.