



NUCLEAR ENERGY INSTITUTE

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June 5, 2003

Ms. Brenda J. Shelton
NRC Clearance Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-6 E6
Washington, DC 20555-0001

REFERENCE: Request for Comments; Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment. (Federal Register Vol. 68, No. 59 Page 15005, March 27, 2003)

Dear Ms. Shelton:

The Nuclear Energy Institute (NEI)¹ is submitting the following comments in response to the Nuclear Regulatory Commission's (NRC) request for comments on the "Notice of pending NRC action to submit an information collection request to OMB on DOE/NRC Form 742 "Material Balance Report;" NUREG/BR-0007, "Instructions for the Preparation and Distribution of Material Status Reports," and DOE/NRC Form 742C, "Physical Inventory Listing." The industry realizes that the NRC has an obligation to fulfill its responsibilities as a participant in US/IAEA Safeguards Agreement and bilateral agreements with Australia and Canada. The method the NRC is using to collect this data places a considerable burden on the industry. We encourage the NRC to seek other means of collecting of the data and to lessen the burden on the industry.

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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The industry response to each of the four questions listed in the March 27 Federal Register Notice is based on an industry poll. The following provides the results of the poll.

1. Is the proposed collection of information necessary for the NRC to properly perform its functions?

The industry is neither a signatory nor a direct party to the US/IAEA Safeguards Agreement or the bilateral agreements with Australia and Canada; therefore, we are not in a position to comment on the necessity of the information.

Does the information have practical utility?

The information has no practical utility for the industry. Only a few members indicated they use the requested information for any other purpose than reporting to the NRC.

2. Is the burden estimate accurate?

The poll revealed that only in a few cases were the burden estimates correct. In these few cases the companies had developed specific software for tracking and reporting on the 742 and 742C forms. The vast majority of the industry indicated it required between 40 and 80 hours to complete each form.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

The NRC could contact the companies that have gone through the expense to develop the software to track and report on the 742 and 742C forms, purchase the software from them and make it available for industry use. This would have the benefit of standardizing the means of tracking and reporting the data and would reimburse those companies who spent time and resources to develop the software. It would also greatly reduce the burden on the industry.

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

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In summary, the industry poll indicates that the collection of data and submittal of 742 and 742C forms is an unjustified burden. There is minimal, if any, utility for the industry and the reporting requirements are very time consuming. Please let me know of any questions or comments the NRC may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Felix M. Killar, Jr.", written in a cursive style.

Felix M. Killar, Jr.