

DRAFT OMB SUPPORTING STATEMENT FOR
NRC FORM 237
"Request for Access Authorization"
(3150-0050)
Extension Request with Burden Revision

Description of Information Collection

Title 10, Code of Federal Regulations, Part 11, "Criteria and Procedures for Determining Eligibility for Access to or Control Over Special Nuclear Material" and Part 25, "Access Authorization for Licensee Personnel," establish requirements that licensee personnel requiring access to either special nuclear material or classified information must have an investigation of their background, and NRC Management Directive 12.3 "Personnel Security Program" establishes requirements that NRC contractors, subcontractors and other non-NRC individuals requiring access to classified information must have an investigation of their background. The reporting requirements associated with NRC Form 237 affect approximately 68 licensees and 7 contractors.

A. JUSTIFICATION

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

A completed NRC Form 237 is required to obtain or renew access to special nuclear material (10 CFR 11.15(a)(2) and (c)(1)) or classified information (10 CFR 25.17(c) and 25.21(c)(1) and (2)) for licensee personnel. It is also used to request NRC access authorizations for personnel of NRC contractors, subcontractors, or other individuals who are not applicants for employment with NRC. The signature of the authorizing official (the security officer) and the approval of the NRC sponsoring official must appear on the form. The information on the form will be reviewed by NRC Division of Facilities and Security personnel. Any questions about the validity or appropriateness of the request may be referred to the NRC office exercising contractual, licensing or regulatory authority over the requesters before processing the access authorization request.

In addition to the signatures mentioned above, the form contains the name of the applicant, the level of access authorization requested, the applicant's date of birth, other appropriate remarks (e.g., previous clearance history), and an identification of enclosures (e.g., completed personnel security packet). A personnel security packet received without this form or without the authorizing official's signature will result in no action being taken on the access authorization request. This information collection for access authorizations benefits NRC and the Federal government by affording a greater degree of control over who is granted access to special nuclear material or classified information.

2. Agency Use of Information

The information on NRC Form 237 is forwarded to the Division of Facilities and Security (DFS) for administrative review and processing for access authorization. If the individual for whom access is being sought currently has an active access authorization with another Federal agency, DFS may request certification of this access authorization from the agency concerned. Upon receipt of this certification, DFS will reply to the requester indicating that the requested access authorization has been granted. This process normally can be completed within 30 days. If the individual for whom access is being sought does not have an active access authorization with another Federal agency, DFS will take action to obtain the type of investigation necessary to support the level of access sought. Upon favorable review of the completed investigation, DFS will notify the requester of the access authorization approval. If, after review of the investigation, DFS determines that there is a question of the individual's eligibility for NRC access authorization, the "due process" provisions of 10 CFR Parts 10 and 11 may be invoked.

3. Reduction of Burden through Information Technology

There is no information technology available which would reduce the burden and provide the documentation of identity and signature certification necessary to request an access authorization.

4. Effort to Identify Duplication and Use Similar Information

NRC Form 237 does duplicate certain identifying data (e.g., name, date of birth, and level of clearance) requested on other forms in order to assure positive identification of the individuals for whom access authorization is being sought. The Department of Energy and some other government agencies use similar forms. However, since there is no standard form available for Government-wide use, the NRC Form 237 is needed to ensure that NRC has a standard procedure for receiving requests for access authorizations.

Since the form is only used when clearance for access to special nuclear material or classified information is being requested, there is no other similar information available.

The Information Requirements Control Automated System (IRCAS) was searched and no duplication was found.

5. Effort to Reduce Small Business Burden

None of the licensees affected by the use of the NRC Form 237 qualify as small business enterprises or entities. The burden associated with this form is so minimal that there would be no significant burden on a contractor, if they qualified as a small business enterprise or entity.

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

Since the collection of information is only required when one applies for access to special nuclear material or classified information, there is no established frequency for collection. In most cases, this is a one time event and less frequent collection would mean eliminating the collection altogether. If the information is not collected, the assurance that only individuals who are properly authorized have access to classified information or special nuclear material would be reduced. Thus, less frequent collection may endanger the U.S. common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

No variation from OMB guidelines is required for the purpose of this collection process.

8. Consultations Outside the NRC

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

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

NRC provides no pledge of confidentiality for this collection of information; however, as Social Security Numbers may be provided as a part of the information provided, they are protected by the Privacy Act and their confidentiality is maintained.

11. Justification for Sensitive Questions

NRC does not request any sensitive information on this form.

12. Estimate of Annualized Burden and Burden Hour Cost

An estimated 12 minutes (based on staff experience) is required to complete each NRC Form 237, resulting in a total annual burden on the public of 84 hours. The estimated annual cost shared among the 75 licensees/ contractors is \$13,104. This was computed as follows: 420 responses X 12 minutes per request X \$156/hr for professional effort.

13. Estimate of Other Additional Costs

Not applicable.

14. Estimated Annualized Cost to the Federal Government.

The annual cost to NRC is estimated to be \$10,752.00. The cost was computed as follows:

Annual professional effort = \$6,552.00

Annual clerical effort = \$4,200.00

Annual clerical effort (processing, program review and approving requests for processing) 420 X 10 minutes = 4200 min. / 60 = 70 hrs. X \$60.00 per hour. (\$4200).

Annual professional effort 420 X 6 minutes = 2520 min. / 60 = 42 hrs. X \$156 per hr. (\$6552).

This cost is fully recovered through fee assessment to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Changes in Burden or Cost

The burden increased because the number of licensees and contractors has increased from 22 to 75. Additionally, the number of responses has increased by 340 from 80 to 420. Therefore, the burden increased by 68 hours from 16 to 84 hours. The cost for professional effort has increased in accordance with Part 170 to \$156 per hour.

16. Publications for Statistical Use

Data from this information collection are not published for statistical purposes. Statistical methods cannot be used in the collection of information since each instance relates to an individual applying for access to special nuclear material or classified information.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.