

Date: December 21, 2005

SUMMARY OF INFORMATION COLLECTION REQUEST

Title: Request to Non-Agreement States for Information

Current Burden/Responses: 135 hours/18 responses

Proposed Burden/Responses: 941 hours/114 responses

Burden Attributable to Third-Party Collections: 0

Number of Respondents: 19

Frequency of Response: Six times per year.

Reasons for Changes in Burden/Responses:

The estimated burden has increased by 806 hours from 135 to 941 hours because materials previously regulated by Non-Agreement States are now regulated by NRC with the enactment of the Energy Policy Act of 2005, specifically Section 651(e). This has increased NRC's initial estimate from the issuing of 1 voluntary request annually to 18 Non-Agreement States in the last clearance package to 6 requests annually to 19 (17 Non-Agreement States and 2 territories). NRC now has regulatory authority over the use of accelerator-produced radioactive materials and discrete sources of radium-226 and other naturally occurring radioactive material as specified by the Commission. NRC's need for information from the Non-Agreement States' naturally occurring and accelerator produced radioactive materials (NARM) programs pertains, for example, to comments on draft rules, guidance, and program elements.

In addition, the number of Non-Agreement States increased from 18 to 19. Since the initial OMB Statement, Wisconsin became an Agreement State. That action would decrease the number of Non-Agreement States to 17. However, 2 territories were added for a total of 19 respondents. With the passage of the Energy Policy Act of 1995, the two territories states (the District of Columbia and the Commonwealth of Puerto Rico) were included because they have not signed 274(b) Agreement with NRC and are considered to be Non-Agreement States under the Atomic Energy Act, as amended.

Level of Concurrence:

Director
Office of State and Tribal Programs

Recordkeeping Requirements in Accordance with the Retention Periods for Records Rule:

N/A

Abstract:

Requests may be made of Non-Agreement States that are similar to those of Agreement States to provide a more complete overview of the national program for regulating radioactive materials. This information would be used in the decision-making

of the Commission. With Agreement States and as part of the NRC cooperative post-agreement program with the States pursuant to Section 274(b), information on licensing and inspection practices, and/or incidents, and other technical and statistical information are exchanged.

Agreement State comments are also solicited in the areas of proposed implementing procedures relative to NRC Agreement State program policies. With the enactment of the Energy Policy Act of 2005, specifically Section 651(e), NRC now has regulatory authority over use of accelerator-produced radioactive materials and discrete sources of radium-226 and other naturally occurring radioactive material as specified by the Commission. Therefore, information requests sought may take the form of surveys, e.g., telephonic and electronic surveys/polls and facsimiles.

cc: B. St. Mary
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