

FINAL SUPPORTING STATEMENT  
FOR  
10 CFR PART 51

"ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING  
AND RELATED REGULATORY FUNCTIONS"

(OMB CLEARANCE NO. 3150-0021)

EXTENSION/REVISION

DESCRIPTION OF THE INFORMATION COLLECTION

The 10 CFR Part 51 information collection requirements apply to NRC's domestic licensing and related regulatory functions that apply to protecting the environment. These regulations do not apply to export licensing matters or to any environmental effects that NRC's domestic licensing and regulatory functions may have upon the environment of foreign nations. 10 CFR Part 51 implements Section 102(2) of the National Environmental Policy Act of 1969 (NEPA), as amended. The information submitted aids the Commission in complying with the NEPA provisions in its review of an application for a permit, license, or other form of permission, or amendment to or renewal of a permit, license, or other form of permission, or a petition for rulemaking.

**Section 51.6** requires that persons, who wish to seek an exemption to requirements in Part 51, submit an application for exemption. The Commission may also grant an exemption to requirements in Part 51 that it determines are authorized by law and in the public interest, even in the absence of a submittal.

**Section 51.16(b)** requires that persons, who wish to have proprietary information withheld from public disclosure, submit a request justifying the withholding pursuant to 10 CFR 2.390. This information is needed by NRC to determine if the applicant's/licensee's reasons are valid and if the information qualifies for exemption from disclosure. The Office of Nuclear Reactor Regulation (NRR) or the Office of Nuclear Material Safety and Safeguards (NMSS) staff, in consultation with the Office of the General Counsel (OGC), will promptly determine whether the justification supports a finding that the information is qualified to be tracked as proprietary. Should staff determine the request to be justified, disclosure is withheld. Should staff determine the request to be unjustified, OGC reviews the bases for the denial of the request, and the applicant/licensee is notified within two weeks of the OGC review.

**Section 51.41** allows the Commission to require an applicant for a permit, license, or other form of permission, or amendment to or renewal of a permit, license, or other form of permission, or a petitioner for rulemaking, to submit such information to the Commission as may be useful in aiding the Commission in complying with section 102(2) of NEPA.

**Section 51.45(a)** requires that certain persons submit environmental information and environmental reports (ERs), respectively. These persons may be applicants for initial or renewal permits, licenses, or other forms of permission; or petitioners for rulemakings. The ERs are submitted to NRR or NMSS for its use in preparing an Environmental Assessment (EA) or Draft Environmental Impact Statement (DEIS). Subsequent to the receipt of public comments on the DEIS, NRC staff prepares a Final Environmental Impact Statement (FEIS). Environmental Impact Statements document the staff's detailed consideration to the

environmental impacts associated with construction, initial operation, or continued operation of a proposed facility or complex cases for decommissioning materials licensees. Environmental Impact Statements also document the staff's assessment of such impacts within the framework of a range of reasonable alternatives. Without the information provided in the ER, NRC cannot evaluate environmental impacts or prepare EAs, DEISs or FEISs as required by Section 102(2) of the NEPA and 10 CFR Part 51. The NRC review normally begins within 30 days of receipt of the ER.

**Section 51.45(b)** requires that the ER contain a description of the proposed action, a statement of its purposes, a description of the environment affected, and a discussion of the following considerations: (1) the impact of the proposed action on the environment, (2) any adverse environmental effects that cannot be avoided should the proposal be implemented, (3) alternatives to the proposed action, (4) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (5) any irreversible and irretrievable commitments of resources that would be involved in the proposed action, if implemented.

**Section 51.45(c)** requires that the ER include an analysis that considers and balances the environmental effects of the proposed action, the environmental impacts of alternatives to the proposed action, and alternatives available for reducing or avoiding adverse environmental effects. Except for ERs prepared for nuclear power reactors at the license renewal stage, the analysis in the ER should also include consideration of the economic, technical, and other benefits and costs of the proposed action and of alternatives. ERs prepared for nuclear power reactors at the license renewal stage need not include discussion of certain issues. These issues include the economic or technical benefits and costs of either the proposed action or alternatives except insofar as such benefits and costs are either essential for a determination regarding the inclusion of an alternative in the range of alternatives considered or relevant to mitigation. Other issues not related to the environmental effects of the proposed action and alternatives need not be included in ERs.

**Section 51.50** (Environmental Report - Construction Permit Stage) requires that an applicant for a permit to construct a production or utilization facility, that is within the purview of Section 51.20, submit information specified in Sections 51.45, 51.51, and 51.52.

**Section 51.51** (Uranium Fuel Cycle Environmental Data - Table S-3) requires that every ER prepared for the construction permit stage of a light-water-cooled nuclear power reactor, and submitted on or after September 4, 1979, shall take Table S-3, Table of Uranium Fuel Cycle Environmental Data, as the basis for evaluating the contribution of the environmental effects of uranium mining and milling, the production of uranium hexafluoride, isotopic enrichment, fuel fabrication, reprocessing of irradiated fuel, transportation of radioactive materials, and management of low-level wastes and high-level wastes related to uranium fuel cycle activities to the environmental costs of licensing the nuclear power reactor. Table S-3 shall be included in the environmental report and may be supplemented by a discussion of the environmental significance of the data set forth in the table as weighed in the analysis for the proposed facility.

**Section 51.52** (Environmental Effects of Transportation of Fuel and Waste - Table S-4) requires that every ER prepared for the construction permit stage of a light-water-cooled nuclear power reactor, submitted after February 4, 1975, shall contain a statement concerning transportation of fuel and radioactive wastes to and from the reactor. That statement shall indicate that the reactor and this transportation either meet all of the conditions in paragraph (a) of this section or meet all of the conditions in paragraph (b) of this section.

**Section 51.53(a)** (Post-Construction Environmental Reports) allows that an ER may incorporate, by reference, any information contained in a prior ER or supplement thereto that relates to the production or utilization facility or any information contained in a final environmental document previously prepared by the NRC staff that relates to the production or utilization facility.

**Section 51.53(b)** requires that an applicant submit supplemental information to the ER with the application for an operating license. The applicant only needs to discuss matters described in Sections 51.45, 51.51, and 51.52 to the extent that they differ from those described in the NRC's FEIS in connection with the construction permit. In addition, the ER is not required to include discussions of (1) the need for power, (2) alternative energy sources, (3) alternative sites for the facility, or (4) any aspect of the storage of spent fuel within the scope of the generic determination in Section 51.23(a) and in accordance with Section 51.23(b).

**Section 51.53(c)** requires that an applicant for a renewal of an operating license submit an ER with the application. The ER must contain a description of the proposed action, including the applicant's plans to modify the facility or its administrative control procedures as described in accordance with Section 54.21. The ER must describe in detail the modifications directly affecting the environment or affecting plant effluents that affect the environment. In addition, the applicant shall discuss the environmental impacts of alternatives and any other matters described in Section 51.45. The ER is not required to include discussions of (1) need for power, (2) the economic costs and economic benefits of the proposed action or of alternatives to the proposed action except insofar as such costs and benefits are either essential for a determination regarding the inclusion of an alternative in the range of alternatives considered or relevant to mitigation, (3) other issues not related to the environmental effects of the proposed action and the alternatives, or (4) any aspect of the storage of spent fuel for the facility within the scope of the generic determination in Section 51.23(a) and in accordance with Section 51.23(b).

For those applicants seeking an initial license renewal and holding either an operating license or construction permit as of June 30, 1995, the ER shall include the information required in paragraph (c)(2) of Section 51.53, but is not required to contain analyses of the environmental impacts of certain license renewal issues identified as Category 1 (generically analyzed) issues in Appendix B to Subpart A of Part 51. The ER must contain analyses of the environmental impacts of the proposed action, including the impacts of refurbishment activities, if any, associated with license renewal and the impacts of operation during the renewal term, for those issues identified as Category 2 (plant-specific analysis required) issues in Appendix B to Subpart A of Part 51 and must include consideration of alternatives for reducing adverse impacts of Category 2 issues; the required analyses are listed in Sections 51.53(c)(ii)(A)-(M). In addition, the ER must contain any new and significant information regarding the environmental impacts of license renewal of which the applicant is aware.

**Section 51.53(d)** requires that an applicant for (1) a license amendment authorizing decommissioning activities at non-power reactors, (2) license termination at power reactors, or (3) a license amendment to store spent fuel at a nuclear power reactor after expiration of its operating license, submit copies of a document entitled "Supplement to Applicant's Environmental Report - Post Operating License Stage." The supplement is required to reflect any new information or significant environmental change associated with the applicant's proposed decommissioning or license termination activities or with the applicant's proposed activities with respect to the planned storage of spent fuel.

**Section 51.54** (Environmental Report - Manufacturing License) requires that an applicant for (1) a license to manufacture a nuclear power reactor or (2) amendment to a license to manufacture a nuclear power reactor seeking approval of a final design of a power reactor, submit an ER that addresses environmental matters specified in Part 52 and that contains the information specified in Section 51.45, as appropriate.

**Section 51.55** (Environmental Report - Number of Copies; Distribution) requires that an applicant submit 41 copies of its ER. The applicant is to retain 109 copies of the report for distribution to parties and Boards in the NRC proceeding (hearing process), and for distribution to Federal, State and local officials. The NRC has been receptive to applicant requests for submittals in electronic form in lieu of the 41 copies in paper form.

**Section 51.60(b)** requires that an applicant prepare an ER for the following types of actions:

- (1) Issuance or renewal of a license or other form of permission for:
  - (i) Possession and use of special nuclear material for processing and fuel fabrication, scrap recovery, or conversion of uranium hexafluoride pursuant to 10 CFR 70.
  - (ii) Possession and use of source material for uranium milling or production of uranium hexafluoride pursuant to 10 CFR 40.
  - (iii) Storage of spent fuel in an independent spent fuel storage installation (ISFSI) or the storage of spent fuel or high-level radioactive waste in a monitored retrievable storage installation (MRS) pursuant to 10 CFR 72.
  - (iv) Receipt and disposal of radioactive waste from other persons pursuant to 10 CFR 61.
  - (v) Procession of source material for extraction of rare earth and other metals.
  - (vi) Use of radioactive tracers in field flood studies involving secondary and tertiary oil and gas recovery.
  - (vii) Construction and operation of a uranium enrichment facility.

- (2) Issuance of an amendment that would authorize or result in:
  - (i) A significant expansion of a site.
  - (ii) A significant change in the types of effluents.
  - (iii) A significant increase in the amount of effluents.
  - (iv) A significant increase in individual or cumulative occupational radiation exposure.
  - (v) A significant increase in the potential for or consequences from radiological accidents.
  - (vi) A significant increase in spent fuel storage capacity, in a license or other form of permission to conduct an activity listed in 51.60(b)(1) above.
- (3) Amendment of a license to authorize the decommissioning of an ISFSI or MRS pursuant to 10 CFR 72.
- (4) Issuance of a license amendment pursuant to Part 61 authorizing (i) closure of a land disposal site, (ii) transfer of the license to the disposal site owner for the purpose of institutional control, or (iii) termination of a license at the end of the institutional control period.
- (5) Any other licensing action for which the Commission determines an environmental report is necessary.

**Section 51.61** requires that an applicant for issuance of a license for storage of spent fuel in an ISFSI or for storage of spent fuel and high-level radioactive waste in an MRS pursuant to 10 CFR 72 submit an "Applicant's Environmental Report - ISFSI License" or "Applicant's Environmental Report - MRS License," as appropriate, with its application. The ER shall contain the general information specified in 51.45 and shall address the siting evaluation factors contained in Subpart E, 10 CFR 72.

**Section 51.62(a)** requires that an applicant for issuance of a license for land disposal of radioactive waste pursuant to 10 CFR 61 submit an "Applicant's Environmental Report - License for Land Disposal of Radioactive Waste" with its application. The ER and any supplement to the ER may incorporate, by reference, information contained in the application or in any previous application, statement or report filed with the Commission provided that such references are clear and specific and that copies of the information so incorporated are available in the NRC Public Document Room at 2120 L Street, NW., Lower Level, Washington, DC, and in any public document room established by the Commission near the proposed land disposal site.

**Section 51.62(b)** requires that the ER contain the general information specified in Section 51.45, that the ER address the applicant's environmental monitoring program required by 10 CFR 61.12(l), 61.53, and 61.59(b), and requires that the ER be as complete as possible in the light of information that is available at the time the ER is submitted.

**Section 51.62(c)** requires that an applicant supplement the ER in a timely manner as necessary

to permit the Commission to review, prior to issuance, amendment or renewal of a license, new information regarding the environmental impact of previously proposed activities, information regarding the environmental impact of any changes in previously proposed activities, or any significant new information regarding the environmental impact of closure activities and long-term performance of the disposal site.

**Section 51.66(a) and (b)** specify the number of copies that are to be submitted of an environmental report, or any supplement to an environmental report, for an application for a license, an amendment or renewal of a license covered under 10 CFR Parts 30, 32, 33, 34, 35, 36, 39, 40, 61, 70 and 72.

Certain petitioners for rulemaking must also submit ERs. Section 51.68 requires that petitioners for rulemaking, who request amendments to 10 CFR Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, or 70 concerning the exemption from licensing and regulatory requirements of, or authorizing general licenses for, any equipment, device, commodity, or other product containing byproduct material, source material, or special nuclear material, submit a "Petitioner's Environmental Report," which contains the general information specified in Section 51.45.

**Section 51.69** requires that petitioners for rulemaking covered by Section 51.68 submit a certain number of copies of its ER.

#### A. JUSTIFICATION

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

The NEPA, directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in NEPA, and (2) all agencies of the Federal Government shall comply with the procedures in Section 102(2) of NEPA except where compliance would be inconsistent with other statutory requirements. The regulations in Subpart A of 10 CFR Part 51 implement Section 102(2) of NEPA in a manner that is consistent with the NRC's domestic licensing and related regulatory authority under the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, the Uranium Mill Tailings Radiation Control Act of 1978, and the Commission's announced policy to take account of the regulations of the Council of Environmental Quality published November 29, 1978 (43 FR 55978-56007), voluntarily subject to certain conditions.

##### 2. Agency Use of Information

Part 51 of the NRC's regulations specifies information and data to be provided by applicants, licensees, and certain petitioners so that the NRC can make determinations necessary to adhere to the policies, regulations, and public laws of the United States that are to be interpreted and administered in accordance with the policies set forth in NEPA. The NRC completes its review of this information in approximately one to two years depending on the type of licensing action.

When considering the environmental information of a proposed action, the NRC must adhere to criteria specified in Sections 51.20, 51.21, 51.22 and 51.30.

##### 3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. NRC issued a regulation October 10, 2003 (68 FR 58791), consistent with the Government Paperwork Elimination Act, which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, special Web-based interface, or other means. It is estimated that 85% of the potential responses are filed electronically.

4. Effort to Identify Duplication and Use Similar Information

In cases where renewals or updates to environmental reports are required, reference to the previously submitted documents is acceptable; only revised or new information is required to be submitted to the NRC. Information submitted to other Federal Government and State agencies may be referenced.

There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

5. Effort to Reduce Small Business Burden

This information collection does not affect small businesses.

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

This information is submitted by applicants and licensees when the requested action requires NRC to make a determination consistent with the provisions of NEPA. Thus, the information is submitted as necessary for NRC to assess environmental issues.

7. Circumstances That Justify Variation from OMB Guidelines

The NRC is in compliance with OMB Guidelines.

8. Consultations Outside the NRC

When an environmental impact statement (EIS) is prepared by the NRC, the draft EIS is filed with the U.S. Environmental Protection Agency. Concurrently, the NRC issues a notice of availability of the draft EIS for public comment. During the current clearance period, NRC issued draft EISs associated with applications for the renewal of the operating licenses at fifteen plant sites. The staff received public comments on the draft EISs; the comments that were within scope of the EIS were addressed in Appendix A of the draft EISs.

The opportunity for public comment on this information collection requirements was published on January 31, 2006, in the Federal Register (71 FR 5077). No comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

Section 51.16(b) requires persons who wish to have proprietary information withheld from public disclosure to submit a request justifying the withholding. Proprietary information is protected in accordance with the provisions of 10 CFR 2.390(b). However, based upon prospective staff activities, requests for confidentiality associated with information submitted pursuant to the requirements of 10 CFR Part 51 are not anticipated during the clearance period .

11. Justification for Sensitive Questions

Part 51 information collections do not involve sensitive or private information; however, the NRC will continue to generalize the actual locations of threatened or endangered species and the actual locations of cultural and historic resources where specific disclosure is not necessary.

12. Estimated Industry Burden and Burden Hour Cost

a. Reporting Burden and Cost

Recent escalation in prices of natural gas and electricity as well as the passage of the new energy bill have made new nuclear power plant construction more attractive from a cost standpoint. Eleven new applications for a combined license (COL) which authorizes construction and operation of nuclear power plants are projected over the next three years. The total estimated burden and cost to the industry for the 11 expected COL applications in the next 3 years is 110,000 hours (10,000 hours per application x 11 COL applications = 110,000 hours). This results in an annual burden of 36,700 hours (110,000 hours ÷ 3 years = 36,700 hours) and an annual cost of \$7,376,700 (36,700 hours x \$201/hr).

Consistent with the requirements of Section 51.53, an applicant for license renewal will need to supplement its ER. Based upon the NUREG-1440 cost analysis associated with the environmental review rulemaking for license renewal, the staff estimates that the burden on license renewal applicants may be on the order of 9,500 hours per application. The total estimated burden and cost to the industry for the 18 expected renewal applications in the next 3 years is 171,000 hours (9,500 hours per application x 18 renewal applications = 171,000 hours). This results in an annual burden of 57,000 hours (171,000 hours ÷ 3 years = 57,000 hours) and an annual cost of \$11,457,000 (57,000 hours x \$201/hr).

The NRC does not anticipate a request for a manufacturing license during the duration of this clearance. Therefore, there is no burden projection for Section 51.54.



Three design certifications will be reviewed during the clearance period. The staff estimates that the burden on the licensees may be on the order of 600 hours per design certification. The total estimated burden and cost to the industry for the 3 design certifications in the next 3 years is 1800 hours (600 hours per certification x 3 certifications = 1800 hours). This results in an annual burden of 600 hours (1800 hours ÷ 3 years = 600 hours) and an annual cost of \$120,600 (600 hours x \$201/hr).

Two early site permits (ESP) will be at the hearing phase while a third ESP will be approximately three quarters completed at the beginning of the clearance period. Industry expects to submit one additional ESP during the clearance period. The staff estimates that the burden on the licensees may be on the order of 9,750 hours for work on one ESP. The total estimated burden and cost to the industry for the 4 ESP reviews in the next 3 years is 14,138 hours (9,750 hours for one entire review + 1,950 hours for 2 reviews @ 10% each + 2438 hours for 1 review @ 25%). This results in an annual burden of 4,713 hours (14,138 hours ÷ 3 years = 4,713 hours) and an annual cost of \$947,313 (4,713 hours x \$201/hr).

In anticipation of power reactor license termination requests, licensees will need to provide an evaluation of the environmental impacts. The staff estimates that the burden on the licensees may be on the order of 120 hours per request. The annual estimated burden to industry for 2 reviews (6 anticipated within the next 3 years) for termination is \$48,240 (120 hours/review x 2 reviews x \$201/hour).

For research and test reactor reviews to be conducted during the same period (20 non-power reactor renewals, 2 research reactor power upgrade, and 4 decommissioning requests), the burden on the licensees may be on the order of approximately 13,000 hours (26 anticipated reviews for the next 3 years x approximately 500 hours each = 13,000 hours). Therefore, the estimated annual burden to the industry is 4,335 hours (13,000 hours ÷ 3 years = 4,335 hours) with an annual cost of \$871,335 (4,335 hours x \$201/hr).

The materials licensing activities for which submission of environmental information may be required under Sections 51.60, 51.61, and 51.62 could span a wide range, including applications for independent spent fuel storage installations, uranium mills, fuel fabrication, remedial action, certain medical and industrial uses of radioisotopes, and commercial radioactive waste disposal by land burial. For some categories of licensees, we expect that we may receive only one environmental report over a period of several years, whereas for other categories we expect to receive several per year. Similarly, the hours-per-response data represents a broad range of information burdens. Therefore, for materials licensing actions, the number of responses and the hours-per-response is an estimated average, and the numbers do not necessarily represent the burden for a typical or any particular licensee. The estimated annual number of submittals for materials licensing activities pursuant to Sections 51.60, 51.61, and 51.62 is 6, and we estimate that there is an average of 1,668 hours for each of the 6 applications anticipated annually. Therefore, 10,008 hours (1,668 hours/action x 6 action requests) are anticipated for annual burden involving the materials area.

For the materials area, the estimated annual cost is therefore expected to be \$2,011,608 (1,668 hours/application x 6 applications x \$201/hr).

The NRC does not project information collection within the purview of 10 CFR 51.68 because we are not aware of any proposed petitions for rulemaking which could be submitted to the NRC in the next 3 years.

Industry burden is summarized in the attached table.

b. Recordkeeping Burden

Recordkeeping requirements are not specified in 10 CFR 51.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

The staff reviews vary in complexity (and in cost to Government) depending on the type of proposed action and the type of required NRC response (i.e., EA or EIS). Cost estimates are summarized in the attached table.

This cost is fully recovered by fee assessments to NRC licensees pursuant to 10 CFR 170 or 171.

Within the next 3 years, the staff anticipates the review of about 18 additional license renewal applications (submitted pursuant to 10 CFR Part 54) for commercial power reactors. As part of that application, pursuant to Section 51.20(b), NRC anticipates preparing a supplement to the Generic EIS for license renewal for each application; an application may be for multiple reactors at the same site. The estimated cost to the Federal Government is about 73,800 hours (4,100 hours/application x 18 applications). Therefore, total estimated cost is \$14,833,800 (73,800 hours x \$201/hour). This results in an annual burden of 24,600 hours, with an annual cost of \$4,944,600 (24,600 hours x \$201/hr).

With respect to Section 51.54 (Environmental Reports for Manufacturing License), the NRC does not anticipate any submittals during the effective period of this clearance.

Within the next 3 years, there will be 3 ongoing reviews for design certification. The estimated cost to the Federal Government is about \$180,900 (300 hours per certification x 3 certifications x \$201/hour). This results in an annual burden of 300 hours with an annual cost of \$60,300 (300 hours x \$201/hr).

The staff also anticipates 1 request for an early site permit (ESP) review in addition to 2 ESP reviews which will be approximately ninety percent complete and one at seventy-five percent completion at the start of the clearance period. The estimated cost to the Federal Government is about \$1,136,655 (3,900 hours per review x 2(10%) x 1(25%) x 1(100%) x \$201/hr). This results in an annual burden of 1885 hours with an annual cost of \$378,885 (1885 hours x \$201/hr).

Eleven new applications for a combined license (COL) are projected over the next three years. The total estimated burden and cost to the Federal Government for the 11 expected COL applications in the next 3 years is 44,000 hours (4,000 hours per application x 11 COL applications = 44,000 hours). This results in an annual burden of 14,667 hours (44,000 hours ÷ 3 years = 14,667 hours) and an annual cost of \$2,948,000 (14,667 hours x \$201/hr).

The staff anticipates the review of up to 6 power reactor license termination requests over the next 3 years for commercial power reactors. Pursuant to 51.30, NRC anticipates the preparation of environmental assessments for these requests. The total estimated annual cost to the Government is expected to be \$12,480 (40 hours/review x 2 annualized reviews x \$201/hr). There is a small potential that any of the 6 license termination reviews could identify plant-specific significant issues and require the staff to prepare an environmental impact statement. If this occurs, the expected resource cost to the Government for these reviews would be substantially higher.

For research and test reactor reviews covered by Section 51.30, the staff anticipates, within the next 3 years, the review of 20 non-power reactor renewals, 2 research reactor power upgrade, and 4 decommissioning requests (a total of 26 reviews). Estimated annual cost to the Federal Government is based on about 173 staff hours (20 hours/review x 8.67 annualized reviews). Therefore, annualized cost to the Government is estimated to be \$34,773 (173 hours x \$201/hr).

Materials licenses vary in type, and cost of the Government review varies accordingly. The materials licensing actions which require EISs are identified in 51.20(b)(7)-(13). Other actions, as identified in Section 51.21, may or may not require preparation of an EIS. The estimated annual cost to the Government for information collection and processing for materials license activities under Section 51.20 and 51.21 is approximately \$1,704,500 (750 hours/application x 6 applications annually x \$201/hr plus \$800,000 in contract technical assistance costs for preparation of Environmental Impact Statements).

#### 15. Reasons for Change in Burden or Cost

##### Burden Increases:

The burden increased by 34,831 from 78,765 to 113,596 hours due to the recent escalation in prices of natural gas and electricity as well as the passage of the new energy bill. As a result of this action, 11 new applications for a combined license (COL) which authorizes construction and operation of nuclear power plants are projected over the next 3 years. This is an increase from 0 in the previous clearance package. The total burden for these new applications over the next 3 years is 110,000 hours (10,000 hours per application x 11 COL applications 110,000 hours/3). This results in an annual burden increase of 36,700 hours.

NRC expects to receive 26 requests versus 10 in the previous clearance renewal submission for review of test and research reactor renewals, upgrades, and decommissioning over a period of 3 years ( $26 \text{ respondents} \div 3 \text{ years} = 8.67 \text{ respondents annually}$ ). Therefore, the estimated total annual burden is 4,335 hours ( $8.67 \text{ respondents} \times 500 \text{ hours} = 4,335 \text{ hours}$ ) versus 1,167 hours ( $3,500 \text{ hours} \div 3 \text{ years} = 1,167 \text{ hours}$ ). This results in an increase of 3,168 hours.

Total annual burden Increase: 39,868 hours

Burden Decreases:

The burden for early site permits is expected to decrease by 15,112 from 29,250 to 14,138 hours from the last clearance period due to industry's shift in preference to the COL process. This is due to a decrease from 1 response per year (3 over the clearance period) to .4833 response per year (1.45 over the clearance period). This results in an estimated annual burden of 4,713 hours ( $14,138 \div 3 \text{ years} = 4,713 \text{ hours}$ ) versus 9,750 hours ( $29,250 \text{ hours} \div 3 \text{ years} = 9,750 \text{ hours}$ ) in the previous clearance renewal. The annual burden decrease is: 5,037 ( $15,112 \div 3 \text{ years} = 5,037 \text{ hours}$ ).

Total annual burden decrease: 5,037 hours

Net Burden Change: 34,831 hours (39,868 hours - 5,037 hours)

In the materials area, there was no change in burden; however, cost estimates have changed since the last clearance as a result of an increase in the fee per hour from \$156 to \$201/hour.

16. Publication for Statistical Use

NRC does not publish information submitted in accordance with 10 CFR Part 51 for statistical use.

17. Reason for Not Displaying the Expiration Date

The requirement is 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							
10 CFR PART 51 BURDEN TABLE							
ANNUAL REPORTING BURDEN							
		Number of Respondents	Responses per Respondent	Total Responses	Burden per Response	Total Annual Burden Hours	Cost @ \$201/hr.
51.6	Request for exemptions	0	0	0	0	0	0
51.16(b)	Request to withhold proprietary information from disclosure	0	0	0	0	0	0
51.41	Establishes NRC's general authority to require environmental information from applicants, as required	The burden and cost associated with these general requirements are tabulated below by sections in which specific information is required for the various applicants for permits, licenses and petitions. No numerical values are entered here to avoid double-counting.					
51.45	Establishes general requirements of applicant's Environmental Reports (ER)	(Burden and cost included under the specific ER reporting requirements)					
51.50, 51.51, AND 51.52	Specific Requirements for ER -						
	Construction Permit Stage	0	0	0	0	0	0
	Design Certification	1	1	1	600	600	\$120,600
	Early Site Permit	1	.4833	.4833	9,750	4,713 <sup>1</sup>	\$947,313
	Combined License	3.67	1	3.67	10,000	36,700	\$7,376,700

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<sup>1</sup>Early Site Permit Total Annual Burden Hours based on 1 ESP @ 100% + 1 ESP @ 25% + 2 ESPs @ 10% completion for the 3 year clearance period.

Table 1  
10 CFR PART 51 BURDEN TABLE

ANNUAL REPORTING BURDEN

		Number of Respondents	Responses per Respondent	Total Responses	Burden per Response	Total Annual Burden Hours	Cost @ \$201/hr.
51.53	Specific requirements for applicant's post-construction ER	0	0	0	0	0	0
	■ New OL Applicants	0	0	0	0	0	0
	■ License Renewals	6	1	6	9,500	57,000	\$11,457,000
	■ OIs Under Review	0	0	0	0	0	0
	■ Power Reactor License Term. Requests	2	1	2	120	240	\$48,240
	■ Research and Test Reactor	8.67	1	8.67	500	4,335	\$871,335
51.54	Specific requirements for applicant's ER for Manufacturing License	0	0	0	0	0	0
51.55	(States the number of copies required)						
51.60, 51.61, and 51.62	Specific requirements for applicant's ER-Materials Lic.	6	1	6	1,668	10,008	\$2,011,608
51.66(a) and (b)	(States the number of copies to be filed)						
51.68	Specific requirements for petitioner's ER-Rulemaking	0	0	0	0	0	0
51.69	(States the number of copies required)						
TOTALS		28.34	N/A	27.82	N/A	113,596	\$22,832,796