

Date: April 11, 2006

SUMMARY OF INFORMATION COLLECTION REQUEST

Title: Request to Non-Agreement States for Information (Final)

Current Burden/Responses: 135 hours/18 responses

Proposed Burden/Responses: 891 hours/108 responses

Number of Respondents: 18

Frequency of Response: 6 times per year.

Reasons for Changes in Burden/Responses:

The estimated burden has increased by 756 hours from 135 to 891 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 request annually to 18 States (16 Non-Agreement States and 2 territories). Therefore, the number of responses increased by 90 from 18 to 108 since the last clearance renewal. 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.

Although the number of respondents remains 18, since the initial OMB clearance, Wisconsin and Minnesota have become Agreement States. However, two territories were added to the respondent universe and compensate for the two Agreement States. With the passage of the Energy Policy Act of 1995, the two territories (the District of Columbia and the Commonwealth of Puerto Rico) were included because they have not signed a 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