FINAL OMB SUPPORTING STATEMENT FOR

NRC FORM 136
"Security Termination Statement"
(3150-0049)
Extension Request with Burden Revision

Description of Information Collection

The reporting requirements associated with the NRC Form 136, "Security Termination Statement," affect the employees of approximately 68 licensees and 7 contractors who have been granted an NRC access authorization (security clearance). When the NRC access authorization is no longer needed, the employee acknowledges and accepts his/her continuing security responsibilities, as stated on the NRC Form 136, by signing the form. Only a minimum amount of other pertinent information (e.g., contract number, if applicable; date of termination), none of which is personal in nature, is requested by the form. The form is countersigned by a representative of the licensee or contractor who administered the completion of the form by the employee.

There is no recordkeeping requirement for the licensee or contractor since the completed NRC Form 136 is to be forwarded to NRC Headquarters, Division of Facilities and Security (DFS), for retention in the individual's Personnel Security File (PSF). The established retention period of the PSF is: destruction upon notification of death or 5 years after termination of the last access authorization held. Although maintained in the PSF, the completed NRC Form 136 would not fall under the exemptions of the Privacy Act of 1974 and, upon request, would be made available for public inspection in accordance with 10 CFR Part 9.

The use of this form affords some assurance that classified information and knowledge gained by the respondent will be properly protected and, therefore, benefits the NRC security program and public at large.

A. JUSTIFICATION

1. Need for and Practical Utility of the Information Collection

Section 4.3 of Executive Order (E.O.) 12958 requires agencies to establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information. NRC's response to this requirement is termination of the access authorization when the circumstances cited in Section 25.33 of 10 CFR Part 25 (applicable to licensees) or in NRC Management Directive 12.3, (applicable to contractors) exist. The NRC Form 136, "Security Termination Statement," is an integral part of these termination of access authorization procedures.

2. Agency Use of Information.

As stated in NRC Management Directive 12.3 (for contractors), and in 10 CFR 25.33 (for licensees), the completed NRC Form 136 is to be forwarded by the licensee/contractor to NRC Headquarters Division of Facilities and Security (DFS), who uses the information in connection with the termination of the respondent's access authorization. In addition to providing assurance of NRC compliance with E.O. 12958, the NRC Form 136 is the vehicle used by DFS to apprize the individual of his/her continuing responsibilities for protecting classified information that he/she had access to in the course of performing official duties. The individual's signature on this form indicates his acknowledgment/acceptance of these continuing responsibilities. Failure to use the NRC Form 136 by the licensee/contractor may result in: (1) failure to terminate the NRC access authorization when circumstances dictate and, therefore, continued access to classified information; and (2) the individual not being apprized of, or officially acknowledging (by signature) his/her continuing responsibilities for protecting classified information.

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 on 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 approximately 98% of the potential responses are filed electronically.

4. Effort to Identify Duplication and Use Similar Information.

No sources of similar information are available. 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.

None of the licensees affected by the use of the NRC Form 136 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

The frequency of information collection is limited to circumstances when the respondent's NRC access authorization is to be terminated. 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 appropriately cleared individuals have access to classified information is reduced; and it is likely that individuals will be unaware of their continuing responsibility to protect classified information. Thus, less frequent collection may endanger the U.S. common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

There is no variation from OMB Guidelines in the collection of information.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the Federal Register on February 7, 2007 (72 FR 5754). No comments were received.

9. Payment or Gift to Respondents

Not Applicable

10. Confidentiality of the Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b).

11. Justification for Sensitive Questions.

There is no sensitive information requested on the NRC Form 136.

12. Estimated Burden and Burden Hour Cost

An estimated 6 minutes (based on staff experience) is required to complete each NRC Form 136, resulting in a total annual burden to the public of 23 hours (225 annual responses X 6 minutes completion time each ÷ 60 = 23 hours.) The estimated annual cost shared among the 75 licensees/contractors is $4,922.00 (23 hours X $214.00 per hour.)

NOTE: There is no record keeping requirement for contractors/licensees to maintain a copy of the NRC Form 136.

13. Estimate of Other Additional Costs

Not applicable.

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government associated with the NRC Form 136 is $2,704.25. The cost was computed as follows:

NOTE: Annual form usage 225.

COST:

Annual clerical effort (225 x 10 minutes = 37.50 hrs. X $60/hr.)	=	$2,250
Annual professional effort (225 X .5 minutes = 1.88 hrs. X $214/hr.)	=	$ 402
Annual record holding (1/4 cu. ft. X $209/cu.ft.)	=	$ 52.25
Total estimated annual cost	=	$2,704.25

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

There was no change in burden during the past 3 year clearance cycle. However, the cost for professional effort has increased in accordance with Part 170 from $156.00 to $214.00 per hour.

16. Publications for Statistical Use.

There is no application of statistics in the information collection related to the NRC Form 136 and no publication of the information.

17. Reason for Not Displaying the Expiration Date

Not Applicable.

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.