

Date: March 12, 2008

FINAL SUMMARY OF INFORMATION COLLECTION REQUEST

Title: 10 CFR Part 73, Physical Protection of Plants and Materials

Current Burden/Responses: 524,820 (50,212 reporting and 474,608 record keeping),
78,094 annual responses

Proposed Burden/Responses: 578,863 (85,441 reporting and 493,422 record keeping),
86,264 annual responses

Frequency of Response: On occasion

Number of Respondents: 384

Reasons for Changes in Burden/Responses:

The estimated burden has increased from 524,820 (50,212 reporting and 474,608 recordkeeping) to 578,863 hours (85,441 reporting and 493,422 recordkeeping), for a total increase of 54,043 hours. The estimated reporting burden increased by 35,229 hours from 50,212 to 85,441 hours and the estimated recordkeeping burden increased by 18,814 hours from 474,608 to 493,422 hours.

The reporting and recordkeeping requirements under Part 73 have not changed. The increase in burden is due to the addition of two Commission Orders dated September 29, 2006 and April 30, 2007, and the revision of burden associated with two previous Orders. Changes are as follows:

New orders

Commission Order (Fingerprints for Access to Safeguards Information), dated August 21, 2006, requires fingerprinting and background checks for access to safeguards information for non-power reactors. This includes all 320 licensees that are not power reactors. The NRC estimates that it will receive 250 fingerprints and background checks per year under this order, which will cover new employees initially undergoing these checks. (Current employees underwent these checks previously, at the time the order was issued). Some licensees will submit multiple fingerprint and background checks, whereas others may have no new employees in a given year. NRC estimates a half hour of reporting burden for fingerprinting, and 4 hours of burden to complete background information. As a result, this order adds 1,125 hours of reporting burden (250 fingerprints and background checks x 4.5 hours per check = 1,125 hours). In addition, NRC estimates 2.397 hours of recordkeeping per fingerprint and background check, for a total of 600 hours of recordkeeping (250 fingerprints and background checks x 2.397 hours = 600 hours).

Commission Order (Fingerprinting Orders for Access to Research and Test Reactors [RTRs]), dated April 30, 2007, requires the submittal of fingerprints of individuals who seek or currently have unescorted access to Research and Test Reactors. The NRC estimates that it will receive 100 fingerprints and background checks per year under this order from the 36 RTRs, which will cover new employees initially undergoing these checks. (Current employees underwent these checks previously, at the time the order was issued). Some RTRs will submit multiple fingerprint and background checks, whereas others may have no new employees in a given year. NRC estimates a half hour of reporting burden for fingerprinting, and 4 hours of burden to complete background information. As a result, this order adds 450 hours of reporting burden (100 fingerprints and background checks x 4.5 hours per check = 450 hours). In addition, NRC estimates 2.397 hours of recordkeeping per fingerprint and background check, for a total of 240 hours of recordkeeping (100 fingerprints and background checks x 2.397 hours = 240 hours).

Burden revisions to previously issued orders

Commission Order (Training) dated April 29, 2003, required power reactor licensees to revise their training and qualification program to implement revised training requirements. The previous supporting statement included a total of 4 hours of recordkeeping burden for CAT I licensees under this order. This order does not apply to CAT I licensees; therefore, these 4 hours have been removed from the total burden.

The NRC reviewed fingerprint submissions processed during the past three years. Based on a review of these fingerprint submissions, the NRC estimates that licensees submit 7,500 fingerprint cards and background checks per year under Commission Order (Access Authorization – Power Reactors) dated January 7, 2003, which requires nuclear power reactor licensees to reinvestigate selected personnel at a predetermined frequency, and to collect, verify, maintain, and protect additional background information not previously considered. This previous estimate included 1.5 hours for the 64 power reactor licensees to determine the number of reinvestigations required, totaling 96 hours. Upon further review, the NRC re-estimated the burden for this order from 1.5 hours per licensee to 4.5 hours per investigation to implement this order. NRC currently estimates a half hour of reporting burden for fingerprinting, and 4 hours of burden to complete background information. This order currently totals 33,750 hours of reporting burden (7,500 fingerprints and background checks x 4.5 hours per check = 33,750 hours), an increase of 33,654 hours. In addition, these fingerprints increased the current recordkeeping burden for this order by 17,978 hours (7,500 records x 2.397 hours recordkeeping per record), from 153,408 hours to 171,386 hours.

Also, there is a change in cost because the hourly rate increased from \$157/hour to \$258/hour.

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

Certain sections of Part 73 vary from the OMB Guidelines in 5 CFR 1320.5(d) by requiring that licensees retain records for more than 3 years. Various sections require retention of records for 5 years, or for extended periods such as duration of possession of the material, duration of employment, or 5 years after termination of access authorization. These requirements are necessary to ensure that procedures for handling and safeguarding nuclear materials are available throughout the period in which the licensee possesses the material or operates the facility. Other records are required for inspection or for reconstruction of events in the event of a safeguards incident.

Efforts 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.

Level of Concurrence: Douglas Huyck, Chief
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Abstract:

NRC regulations in 10 CFR Part 73 prescribe requirements to establish and maintain a physical protection system and security organization. The objective is to ensure that activities involving special nuclear material are consistent with interests of common defense and security and that these activities do not constitute an unreasonable risk to public health and safety. The information in the reports and records submitted by licensees is used by the NRC staff to ensure that the health and safety of the public and the environment are protected.

cc: Tremaine Donnell