

June 14, 2010

DRAFT SUMMARY OF INFORMATION COLLECTION REQUEST

Title: 10 CFR 34, Licenses for Radiography and Radiation Safety Requirements for Radiographic Operations

Current Burden/Responses: 119,125 hours / 778 responses (258 reporting responses + 520 recordkeepers)

Proposed Burden/Responses: 284,868 hours/1,116 response (371 reporting responses + 745 recordkeepers)

Number of Respondents: 1,116 (371 reporting responses plus 745 recordkeepers)

Burden Attributable to Third-Party Collections: None

Frequency of Response: Applications for new licenses and amendments may be submitted at any time. Applications for renewal are submitted every 10 years. Reports are submitted as events occur.

Reasons for Changes in Burden/Responses:

The total burden increased by 86,743 from 199,125 to 284,868. The burden for NRC licensees decreased and the burden for Agreement States increased as follows:

- NRC Licensees. Although the overall burden increased, the burden for NRC licensees decreased by 5,716 hours (from 43,397 to 37,681 hours). The burden decreased as a result of a decrease in the number of NRC licensees. The actual number of NRC licensees has decreased by 15, from 113 to 98 because Pennsylvania, Virginia, and New Jersey became Agreement States since the last renewal, and licensees in these states are no longer counted as NRC licensees.
- Agreement State Licensees. The burden for Agreement State licensees increased by 91,459 hours (from 155,728 to 247,187 hours) due to a change in the ratio used to calculate the number of Agreement State licensees. The number of NRC licensees is known, whereas the total number of Agreement State licensees is an estimate based on NRC's best information available from the Agreement States. NRC uses the ratio of the total of NRC licensees (subject to Part 34) to the total number Agreement State licensees to estimate the number of Agreement State respondents for each section. NRC uses this ratio approach as the total number of Agreement State licensees subject to various Part 34 Sections is not known exactly and, therefore, must be estimated. The ratio used to estimate Agreement State respondents changed from 3.6 to 6.6; therefore, the number of Agreement State licensees increased by 240, from 407 to 647. This resulted in a burden increase of 91,459 hours from 155,728 to 247,187 hours.

The ratio changed because the difference in the number of NRC licensees versus Agreement States licensees has increased (three States: Pennsylvania, Virginia, and New Jersey, all of whom have a large number of material licensees, become Agreement States since the last renewal). This change affected the overall ratio used to calculate the number of Agreement State to NRC Part 34 licensees. The increase in the number of

licensees is tied to a corresponding increase in the number of expected responses for various sections, resulting in an overall increase in the burden hour estimate.

In the last submittal for this information collection, recordkeepers were not counted as respondents. The current submission has correctly identified all respondents, including licensees reporting information to the NRC as well as those required to retain records. As a result of this adjustment, the number of respondents has increased from 253 to 745 (647 Agreement State licensees plus 98 NRC licensees). Note that licensees reporting information are a subset of the licensees who are recordkeepers, and do not represent an additional group of licensees.

The number of responses was correctly calculated in the previous submission, including recordkeeping as a response. The number of responses has increased from 778 to 1,116 (152 NRC licensee responses [54 reporting responses plus 98 recordkeepers] + 964 Agreement state responses [317 reporting responses plus 647 recordkeepers]).

There was a slight decrease in professional cost from \$258/hr to \$257/hr.

Level of Concurrence: Branch Chief, Rulemaking Branch A
Division of Intragovernmental Liason and Rulemaking
Office of Federal and State Materials and Environmental
Management Programs

Recordkeeping Requirements in Accordance with the Retention Periods for Records Rule: Section 34.61, 34.81, 34.83(d), 34.89(a), and 34.89 (b) require licensee to maintain records until license termination. These longer retention periods are justified in the supporting statement and are for information needed for safety purposes. In addition, Appendix A requires the development of procedures, policies and application records in various sections of the Appendix. The expectation is that a certifying entity would maintain copies of these procedures throughout the life of the program or as long as an individual's certification remains in effect. The retention is necessary to ensure the certifying entity maintains an up-to-date description of its program and records of the certifications issued.

Abstract: 10 CFR Part 34 establishes radiation safety requirements for the use of radioactive material in industrial radiography. The information in the applications, reports and records is used by the NRC staff to ensure that the health and safety of the public is protected and that licensee possession and use of source and byproduct material is in compliance with license and regulatory requirements.

ADAMS #: ML101060458 (package)
ML101050544 (supporting statement)