

October 3, 2011

SUMMARY OF INFORMATION COLLECTION REQUEST

Title: 10 CFR Parts 20, 30, 32, 33, 34, 36, 37, 39, 51, 71, and 73, Physical Protection of Byproduct Material, Final Rule

Current Burden/Responses: 0 (this is a new Part)

Proposed Burden/Responses: 139,109.1 hours / 83,796 responses

Number of Respondents: 5,600 (1,400 licensees and 4,200 employees)

Burden Attributable to Third-Party Collections: 43,760.13 hours

Frequency of Response: One time for initial compliance notifications and fingerprints for the reviewing officials; and as needed for implementation notifications, event notifications, notifications of shipments of radioactive material, and fingerprinting of new employees.

Reasons for Changes in Burden/Responses: The proposed rule would impose a new information collection to provide the data and thus would not change an existing OMB approved Information Collection.

Recordkeeping Requirements in Accordance with the Retention Periods for Records Rule: Sections 37.23(h)(2), 37.29(a)(12)&(13), 37.31(a), 37.31(e), and 37.43(a) require retention of records for extended periods such as license termination, duration of employment or 3 years after termination of access authorization. These requirements are necessary to ensure that procedures for handling and safeguarding radioactive 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.

Abstract: The NRC is proposing to amend its regulations to put in place security requirements for the use of category 1 and category 2 quantities of radioactive material. Licensees would be required to: (1) develop procedures for implementation of the security provisions; (2) develop a security plan that describes how security is being implemented; (3) conduct training on the procedures and security plan; (4) conduct background investigations for those individuals permitted access to category 1 or category 2 quantities of radioactive material; (5) coordinate with LLEAs so the LLEAs would be better prepared to respond in an emergency; (6) conduct preplanning and coordination activities before shipping radioactive material; and (7) implement security measures for the protection of the radioactive material. Licensees would be required to promptly report any attempted or actual theft or diversion of the radioactive material. Licensees would be required to keep copies of the security plan, procedures, background investigation records, training records, and documentation that certain activities have occurred.

ADAMS #

Supporting statement: ML112560412
SUMFORM: ML112760803

Paperwork Reduction Act Statement

This final rule contains new information collection requirements in 10 CFR Part 37 that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget, approval number 3150-XXXX. The changes to 10 CFR Parts 20, 30, 32, 33, 34, 35, 36, 39, 51, 71, and 73 do not contain new or amended information collection requirements. Existing requirements were approved by the Office of Management and Budget, approval numbers 3150-0014, 3150-0017, 3150-0001, 3150-0015, 3150-0007, 3150-0010, 3150-0158, 3150-0130, 3150-0021, 3150-0008, and 3150-0002.

The burden to the public for the information collections in 10 CFR Part 37 is estimated to average 1.6 hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Send comments on any aspect of these information collections, including suggestions for reducing the burden, to the Information Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail to INFOCOLLECTS.RESOURCE@NRC.GOV; and to the Desk Officer, Chad Whiteman, Office of Information and Regulatory Affairs, NEOB-10202, (3150-XXXX), Office of Management and Budget, Washington, DC 20503.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.