

DRAFT SUPPORTING STATEMENT  
FOR  
10 CFR PART 51

"ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING  
AND RELATED REGULATORY FUNCTIONS"

(3150-0021)

Extension

DESCRIPTION OF THE INFORMATION COLLECTION

The 10 CFR Part 51 information collection requirements apply to NRC's domestic licensing and related regulatory functions necessary to protect the environment. These regulations do not apply to export licensing matters or to any environmental effects that NRC's domestic licensing and regulatory functions may have upon the environment of foreign nations. 10 CFR Part 51 implements Section 102(2) of the National Environmental Policy Act of 1969 (NEPA), as amended (42 USC § 4332). The information submitted aids the Commission in complying with NEPA provisions in its review of an application for a permit, license, or other form of permission, or amendment to or renewal of a permit, license, or other form of permission, or a petition for rulemaking.

**Section 51.6** requires that persons who wish to seek an exemption to requirements in Part 51 submit an application for exemption. The Commission may also grant an exemption to requirements in Part 51 that it determines are authorized by law and in the public interest, even in the absence of a submittal.

**Section 51.16(b)** requires that persons who wish to have proprietary information withheld from public disclosure submit a request justifying the withholding pursuant to 10 CFR 2.390. This information is needed by NRC to determine if the applicant/licensee's reasons are valid and if the information qualifies for exemption from disclosure. The NRC will promptly determine whether the justification supports a finding that the information is qualified to be tracked as proprietary. Should staff determine the request to be justified, disclosure is withheld. Should staff determine the request to be unjustified, OGC reviews the bases for the denial of the request, and the applicant/licensee is notified within two weeks of the OGC review.

**Section 51.41** allows the Commission to require an applicant for a permit, license, or other form of permission, or amendment to or renewal of a permit, license, or other form of permission, or a petitioner for rulemaking, to submit such information to the Commission as may be useful in aiding the Commission in complying with section 102(2) of NEPA.

**Section 51.45(a)** requires that certain persons submit environmental information and environmental reports (ERs), respectively. These persons may be applicants for initial or renewal permits, licenses, or other forms of permission; or petitioners for rulemakings. The ERs are submitted to NRC for its use in preparing an Environmental Assessment (EA) or Draft Environmental Impact Statement (DEIS). Subsequent to the receipt of public comments on the DEIS, NRC staff prepares a Final Environmental Impact Statement (FEIS). Environmental Impact Statements document the staff's detailed consideration to the environmental impacts associated with construction, initial operation, or continued operation of a proposed facility or complex cases for decommissioning materials licensees. Environmental Impact Statements also document the staff's assessment of such impacts within the framework of a range of reasonable alternatives. Without the information provided in the ER, NRC cannot evaluate environmental impacts or prepare EAs, DEISs or FEISs as required by Section 102(2) of NEPA and 10 CFR Part 51. The NRC review normally begins within 30 days of receipt of the ER.

**Section 51.45(b)** requires that the ER contain a description of the proposed action, a statement of its purposes, a description of the environment affected, and a discussion of the following considerations: (1) the impact of the proposed action on the environment, (2) any adverse environmental effects that cannot be avoided should the proposal be implemented, (3) alternatives to the proposed action, (4) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (5) any irreversible and irretrievable commitments of resources that would be involved in the proposed action, if implemented.

**Section 51.45(c)** requires that the ER include an analysis that considers and balances the environmental effects of the proposed action, the environmental impacts of alternatives to the proposed action, and alternatives available for reducing or avoiding adverse environmental effects. Except for ERs prepared for nuclear power reactors at the license renewal stage, the analysis in the ER should also include consideration of the economic, technical, and other benefits and costs of the proposed action and of alternatives. ERs prepared for nuclear power reactors at the license renewal stage need not include discussion of certain issues. These issues include the economic or technical benefits and costs of either the proposed action or alternatives except insofar as such benefits and costs are either essential for a determination regarding the inclusion of an alternative in the range of alternatives considered or relevant to mitigation. Other issues not related to the environmental effects of the proposed action and alternatives need not be included in ERs.

**Section 51.49** (Environmental Report - Limited Work Authorization (LWA)) requires LWA applicant to submit an ER containing certain specified information. Paragraphs (a) and (b), which apply to applicants submitting a complete or two-part application, require the applicants to submit an environmental report describing activities conducted under the LWA, need to conduct those activities, description of environmental impacts, mitigation measures imposed, and a discussion of reasons for rejecting other mitigation measures that could further reduce environmental impacts. Paragraph (c) describes the contents of the environmental report when the request for the LWA is part of an ESP application. Paragraph (d) describes the contents of the environmental report when the LWA request is submitted by an ESP holder, and paragraph (e) establishes a limited exception from the information required by paragraphs (a) and (b) to be submitted in the environmental report. Paragraph (f) requires for all applications containing a LWA request, that the environmental report separately evaluate the environmental impacts and the proposed alternatives to the activities proposed to be conducted under the LWA. This information is needed by the NRC to prepare in parallel the Environmental Impact Statement (EIS) for the LWA activities and a supplemental EIS for the underlying construction permit or combined license, or a complete EIS at the LWA stage.

**Section 51.50** (Environmental Report - Construction Permit Stage) requires that an applicant for a permit to construct a production or utilization facility, that is within the purview of Section 51.20, submit information specified in Sections 51.45, 51.51, and 51.52.

**Section 51.51** (Uranium Fuel Cycle Environmental Data - Table S-3) requires that every ER prepared for the construction permit stage of a light-water-cooled nuclear power reactor, and submitted on or after September 4, 1979, shall take Table S-3, Table of Uranium Fuel Cycle Environmental Data, as the basis for evaluating the contribution of the environmental effects of uranium mining and milling, the production of uranium hexafluoride, isotopic enrichment, fuel fabrication, reprocessing of irradiated fuel, transportation of radioactive materials, and management of low-level wastes and high-level wastes related to uranium fuel cycle activities to the environmental costs of licensing the nuclear power reactor. Table S-3 shall be included in the environmental report and may be supplemented by a discussion of the environmental significance of the data set forth in the table as weighed in the analysis for the proposed facility.

**Section 51.52** (Environmental Effects of Transportation of Fuel and Waste - Table S-4) requires that every ER prepared for the construction permit stage of a light-water-cooled nuclear power reactor, submitted after February 4, 1975, shall contain a statement concerning transportation of fuel and radioactive wastes to and from the reactor. That statement shall indicate that the reactor and this transportation either meet all of the conditions in paragraph (a) of this section or meet all of the conditions in paragraph (b) of this section.

**Section 51.53(a)** (Post-Construction Environmental Reports) allows that an ER may incorporate, by reference, any information contained in a prior ER or supplement thereto that relates to the production or utilization facility or any information contained in a final environmental document previously prepared by the NRC staff that relates to the production or utilization facility.

**Section 51.53(b)** requires that an applicant submit supplemental information to the ER with the application for an operating license. The applicant only needs to discuss matters described in Sections 51.45, 51.51, and 51.52 to the extent that they differ from those described in the NRC's FEIS in connection with the construction permit. In addition, the ER is not required to include discussions of (1) the need for power, (2) alternative energy sources, (3) alternative sites for the facility, or (4) the environmental impacts of the continued storage of spent fuel as stated in Section 51.23.

**Section 51.53(c)** requires that an applicant for a renewal of an operating license submit an ER with the application. The ER must contain a description of the proposed action, including the applicant's plans to modify the facility or its administrative control procedures as described in accordance with Section 54.21. The ER must describe in detail the modifications directly affecting the environment or affecting plant effluents that affect the environment. In addition, the applicant shall discuss the environmental impacts of alternatives and any other matters described in Section 51.45. The ER is not required to include discussions of (1) need for power, (2) the economic costs and economic benefits of the proposed action or of alternatives to the proposed action except insofar as such costs and benefits are either essential for a determination regarding the inclusion of an alternative in the range of alternatives considered or relevant to mitigation, (3) other issues not related to the environmental effects of the proposed action and the alternatives, or (4) the environmental impacts of the continued storage of spent fuel as stated in Section 51.23.

For those applicants seeking an initial license renewal and holding an operating license, construction permit, or combined license as of June 30, 1995, the ER shall include the information required in paragraph (c)(2) of Section 51.53, but is not required to contain analyses of the environmental impacts of certain license renewal issues identified as Category 1 (generically analyzed) issues in Appendix B to Subpart A of Part 51. The ER must contain analyses of the environmental impacts of the proposed action, including the impacts of refurbishment activities, if any, associated with license renewal and the impacts of operation during the renewal term, for those issues identified as Category 2 (plant-specific analysis required) issues in Appendix B to Subpart A of Part 51 and must include consideration of alternatives for reducing adverse impacts of Category 2 issues; the required analyses are listed in Sections 51.53(c)(ii)(A)-(M). In addition, the ER must contain any new and significant information regarding the environmental impacts of license renewal of which the applicant is aware.

**Section 51.53(d)** requires that an applicant for (1) a license amendment authorizing decommissioning activities at non-power reactors, (2) license termination at power reactors, or (3) a license amendment to store spent fuel at a nuclear power reactor after expiration of its operating license, submit copies of a document entitled "Supplement to Applicant's Environmental Report - Post Operating License Stage." The supplement is required to reflect any new information or significant environmental change associated with the applicant's proposed decommissioning or license termination activities or with the applicant's proposed activities with respect to the planned storage of spent fuel.

**Section 51.54** (Environmental Report - Manufacturing License) requires that an applicant for (1) a license to manufacture a nuclear power reactor or (2) amendment to a license to manufacture a nuclear power reactor seeking approval of a final design of a power reactor, submit an ER that addresses environmental matters specified in Part 52 and that contains the information specified in Section 51.45, as appropriate.

**Section 51.55** (Environmental Report – Standard Design Certification) requires design certification applicants and applicants for amendments to design certifications to submit an ER, which must address the costs and benefits of Severe Accident Design Mitigation Alternatives (SAMDA) and the bases for not incorporating SAMDA in the design to be certified. The ER must address whether the design change that is the subject of the proposed amendment either renders a SAMDA previously rejected in an environmental assessment to become cost beneficial, or results in the identification of new SAMDA that may be reasonably incorporated into the design certification. The information required under Part 51 is needed to ensure the NRC meets its obligations under NEPA.

**Section 51.58** (Environmental Report - Number of Copies; Distribution) requires that an applicant submit one copy of its ER. The applicant is to retain the capacity to generate copies of the report for distribution to parties and Boards in the NRC proceeding (hearing process), and for distribution to Federal, State and local officials. Submittals may be made electronically and the NRC has detailed guidance available to assist submitters.

**Section 51.60(b)** requires that an applicant prepare an ER for the following types of actions:

- (1) Issuance or renewal of a license or other form of permission for:
  - (i) Possession and use of special nuclear material for processing and fuel fabrication, scrap recovery, or conversion of uranium hexafluoride pursuant to 10 CFR 70.
  - (ii) Possession and use of source material for uranium milling or production of uranium hexafluoride pursuant to 10 CFR 40.
  - (iii) Storage of spent fuel in an independent spent fuel storage installation (ISFSI) or the storage of spent fuel or high-level radioactive waste in a monitored retrievable storage installation (MRS) pursuant to 10 CFR 72.
  - (iv) Receipt and disposal of radioactive waste from other persons pursuant to 10 CFR 61.
  - (v) Procession of source material for extraction of rare earth and other metals.
  - (vi) Use of radioactive tracers in field flood studies involving secondary and tertiary oil and gas recovery.
  - (vii) Construction and operation of a uranium enrichment facility.
- (2) Issuance of an amendment that would authorize or result in:
  - (i) A significant expansion of a site.
  - (ii) A significant change in the types of effluents.
  - (iii) A significant increase in the amount of effluents.

- (iv) A significant increase in individual or cumulative occupational radiation exposure.
  - (v) A significant increase in the potential for or consequences from radiological accidents.
  - (vi) A significant increase in spent fuel storage capacity, in a license or other form of permission to conduct an activity listed in 51.60(b)(1) above.
- (3) Amendment of a license to authorize the decommissioning of an ISFSI or MRS pursuant to 10 CFR 72.
  - (4) Issuance of a license amendment pursuant to Part 61 to authorize (i) closure of a land disposal site, (ii) transfer of the license to the disposal site owner for the purpose of institutional control, or (iii) termination of a license at the end of the institutional control period.
  - (5) Any other licensing action for which the Commission determines an environmental report is necessary.

**Section 51.61** requires that an applicant for issuance of a license for storage of spent fuel in an ISFSI or for storage of spent fuel and high-level radioactive waste in an MRS pursuant to 10 CFR 72 submit an "Applicant's Environmental Report - ISFSI License" or "Applicant's Environmental Report - MRS License," as appropriate, with its application. The ER shall contain the general information specified in 51.45 and shall address the siting evaluation factors contained in Subpart E, 10 CFR 72.

**Section 51.62(a)** requires that an applicant for issuance of a license for land disposal of radioactive waste pursuant to 10 CFR 61 submit an "Applicant's Environmental Report - License for Land Disposal of Radioactive Waste" with its application. The ER and any supplement to the ER may incorporate, by reference, information contained in the application or in any previous application, statement or report filed with the Commission provided that such references are clear and specific and that copies of the information so incorporated are available at the NRC Web site, <http://www.nrc.gov>, and/or at the NRC Public Document Room.

**Section 51.62(b)** requires that the ER contain the general information specified in Section 51.45, that the ER address the applicant's environmental monitoring program required by 10 CFR 61.12(l), 61.53, and 61.59(b), and requires that the ER be as complete as possible in the light of information that is available at the time the ER is submitted.

**Section 51.62(c)** requires that an applicant supplement the ER in a timely manner as necessary to permit the Commission to review, prior to issuance, amendment or renewal of a license, new information regarding the environmental impact of previously proposed activities, information regarding the environmental impact of any changes in previously proposed activities, or any significant new information regarding the environmental impact of closure activities and long-term performance of the disposal site.

**Section 51.66** specifies the number of copies that are to be submitted of an environmental report, or any supplement to an environmental report, for an application for a license, an amendment or renewal of a license covered under 10 CFR Parts 30, 32, 33, 34, 35, 36, 39, 40, 61, 70 and 72.

**Section 51.68** Certain petitioners for rulemaking must also submit ERs. Section 51.68 requires that petitioners for rulemaking, who request amendments to 10 CFR Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, or 70 concerning the exemption from licensing and regulatory requirements of, or authorizing general licenses for, any equipment, device, commodity, or other product containing byproduct material, source material, or special nuclear material, submit a "Petitioner's Environmental Report," which contains the general information specified in Section 51.45.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

NEPA, directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in NEPA, and (2) all agencies of the Federal government shall comply with the procedures in Section 102(2) of NEPA except where compliance would be inconsistent with other statutory requirements. The regulations in Subpart A of 10 CFR Part 51 implement Section 102(2) of NEPA in a manner that is consistent with the NRC's domestic licensing and related regulatory authority under the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, the Uranium Mill Tailings Radiation Control Act of 1978, and the Commission's announced policy to voluntarily take account of the regulations of the Council of Environmental Quality published November 29, 1978 (43 FR 55978-56007), subject to certain conditions.

2. Agency Use of Information

The NRC will use the information to make determinations necessary to protect the environment and to adhere to the policies, regulations, and public laws of the United States that are to be interpreted and administered in accordance with the policies set forth in NEPA. Depending on the type of licensing action, the NRC completes its review of this information in three years.

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. On October 10, 2003, NRC issued a regulation (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 greater than 65% of 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

This information collection does not affect small businesses.

6. Consequences to Federal Program or Policy Activities if the Collection is Not Conducted or is Conducted Less Frequently

This information is submitted by applicants and licensees when they request that the NRC make a decision on an action. As part of its evaluation of the request, the agency is required to make a determination consistent with the provisions of NEPA. If this information were not submitted, the NRC's environmental reviews would be more challenging, more time consuming, and require more fee-billable resources.

7. Circumstances That Justify Variation from OMB Guidelines

The NRC complies with OMB Guidelines. No variances are needed.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package has been published in the Federal.

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). Information considered confidential or proprietary is not normally requested.



11. Justification for Sensitive Questions

Part 51 information collections do not involve sensitive or private information; however, the NRC will continue to generalize the actual locations of threatened or endangered species and the actual locations of cultural and historic resources where specific disclosure is not necessary.

12. Estimated Industry Burden and Burden Hour Cost

a. Reporting Burden Cost

Three applications for a combined operating license (COL) for a new nuclear reactor are projected to be worked on over the next 3 years; 1 application annually. The burden per application is projected at 10,300 hours; the total estimated annual burden to the industry for 1 expected COL application per year is (1 application x 10,300 hours per application = 10,300 hours); and an annual cost of \$2,873,700 (10,300 hours x \$279 per hour = \$2,873,700).

Two construction permit applications are projected to be worked over the next 3 years; 0.67 applications annually. The burden per application is projected at 10,400 hours; the total estimated annual burden to the industry for 0.67 expected construction permit application per year is (0.67 applications x 10,400 hours per application = 6,968 hours); and an annual cost of \$1,944,072 (6,968 hours x \$279 per hour = \$1,944,072).

NRC performs environmental reviews in response to amendment requests from nuclear reactor licensees. 75 license amendments requiring an environmental review are estimated to be reviewed over the next 3 years; 25 license amendments annually. The burden per application is projected at 20 hours; the total estimated annual burden to industry for 25 license amendments per year is (25 license amendments x 20 hours per license amendment = 500 hours); and an annual cost of \$139,500 (500 hours x \$279 per hour = \$139,500).

NRC performs environmental reviews in response to exemption requests from nuclear reactor licensees. 24 exemption requests are estimated to be reviewed over the next 3 years; 8 exemption requests annually. The burden per request is projected at 5 hours; the total estimated annual burden to industry for 8 exemption requests per year is (8 exemption requests x 5 hours per request = 40 hours); and an annual cost of \$11,160 (40 hours x \$279 per hour = \$11,160).

NRC reviews requests to withhold proprietary information from disclosure. 3 such requests are estimated to be reviewed over the next 3 years; 1 request annually. The burden per request is projected at 10 hours; the total estimated annual burden to industry for 1 requests per year is (1 request x 10 hours per request = 10 hours); and an annual cost of \$2,790 (10 hours x \$279 per hour = \$2,790).

Two early site permit applications for new nuclear power plants are projected to be worked on over the next 3 years; 0.67 applications annually. The burden per application is projected at 11,400 hours; the total estimated annual burden to industry for 0.67 early site permit applications per year is (0.67 applications x 11,400 hours per application = 7,638 hours); and an annual cost \$2,131,002 (7,638 hours x \$279 per hour = \$2,131,002).

Four design certifications or design certification renewals are projected to be evaluated over the next 3 years; 1.33 applications annually. The burden per application is projected at 60 hours; the total estimated annual burden to the industry for 1.33 expected design certifications applications per year is (1.33 applications x 60 hours per application = 79.8 hours); and an annual cost of \$22,264 (79.8 hours x \$279 per hour = \$22,264).

Within the next 3 years, the staff anticipates the review of about 3 additional license renewal applications for commercial power reactors; 1 application annually. The burden per application is projected at 12,300 hours; the total estimated annual burden to the industry for 1 expected license renewal application per year is (1 license renewal applications x 12,300 hours per application = 12,300 hours); and an annual cost of \$3,431,700 (12,300 hours x \$279 per hour = \$3,431,700).

For research and test reactors the staff anticipates reviews of some combination of the following types: non-power reactor renewals, research reactor power upgrades, or decommissioning requests. Within the next 3 years, the staff estimates 9 reviews; 3 reviews annually. The burden per request is approximately 60 hours; the total estimated annual burden to industry for 3 requests per year is (3 requests x 60 hours per request = 180 hours); and an annual cost of \$50,220 (180 hours x \$279 per hour = \$50,220).

The NRC does not anticipate a request for a manufacturing license during the duration of this clearance. Therefore, there is no burden projection for Section 51.54.

Materials licenses vary in type, and cost. Materials licensing actions that require EISs are identified in 51.20(b)(7)-(13). Other actions, as identified in Section 51.21, may or may not require preparation of an EIS. Of these types, 18 actions are projected over the next 3 years; 6 actions annually. The burden per request is approximately 1,668 hours; the total estimated annual burden to industry for 6 requests per year is 10,008 hours, (6 requests x 1,668 hours per request = 10,008 hours); and an annual cost of \$2,792,232 (10,008 hours x \$279 per hour = \$2,792,232).

For petitions for rulemaking (PRM), the staff anticipates 3 PRMs within the next 3 years; 1 PRM annually. The burden per request is approximately 80 hours; the total estimated annual burden to industry for 1 PRM per year is (1 PRM x 80 hours per PRM = 80 hours); and an annual cost of \$22,320 (80 hours x \$279 per hour = \$22,320).

Industry burden is summarized in the attached table.

b. Recordkeeping Burden

Recordkeeping requirements are not specified in 10 CFR.

The overall estimated burden is 48,103.8 hours, resulting in an overall burden cost of \$13,420,960.

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The staff reviews vary in complexity (and in cost to government) depending on the type of proposed action and the type of required NRC response (i.e., EA or EIS). Cost estimates are summarized below.

This cost is fully recovered by fee assessments to NRC licensees pursuant to 10 CFR 170 or 171.

Three applications for a combined operating license (COL) for a new nuclear reactor are projected to be worked over the next 3 years; 1 applications annually. The burden per application is projected at 4,000 hours; the total estimated annual burden to the Federal government for 1 expected COL applications per year is (1 applications x 4,000 hours per application = 4,000 hours); and an estimated annual cost to the Federal government of \$1,116,000 (4,000 hours x \$279 per hour = \$1,116,000).

Two construction permit applications for a new nuclear power plant are projected to be worked over the next 3 years; resulting in 0.67 applications annually. The burden per application is projected at 6,240 hours; the total estimated annual burden to the Federal government for 0.67 expected construction permit application per year is (0.67 applications x 6,240 hours per application = 4,180.8 hours); and an annual cost of \$1,166,443.20 (4,180.8 hours x \$279 per hour = \$1,166,443.20).

NRC performs environmental reviews in response to amendment requests from nuclear reactor licensees. For new reactors 75 license amendments requiring environmental reviews are estimated to be reviewed over the next 3 years; resulting in 25 license amendments annually. The burden per application is projected at 20 hours; the total estimated annual burden to the Federal government for 25 license amendments per year is (25 license amendments x 20 hours per license amendment = 500 hours); and an annual cost of \$139,500 (500 hours x \$279 per hour = \$139,500).

NRC performs environmental reviews in response to exemption requests from nuclear reactor licensees. 24 exemption requests are estimated to be reviewed over the next 3 years; 8 exemption requests annually. The burden per request is projected at 5 hours; the total estimated annual burden to industry for 8 exemption requests per year is (8 exemption requests x 5 hours per request = 40 hours); and an annual cost of \$11,160 (40 hours x \$279 per hour = \$11,160).

NRC reviews requests to withhold proprietary information from disclosure. 3 such requests are estimated to be reviewed over the next 3 years; 1 request annually. The burden per request is projected at 10 hours; the total estimated annual burden to industry for 1 requests per year is (1 request x 10 hours per request = 10 hours); and an annual cost of \$2,790 (10 hours x \$279 per hour = \$2,790).

Two early site permit applications for new nuclear power plants are projected to be worked on over the next 3 years; resulting in 0.67 applications annually. The burden per application is projected at 7,300 hours; the total estimated annual burden to the Federal government for 0.67 early site permit applications per year is (0.67 applications x 7,300 hours per application = 4,891 hours) and an annual cost of \$1,364,589 (4,891 hours x \$279 per hour = \$1,364,589).

Four design certifications or design certification renewals are projected to be evaluated over the next 3 years; resulting in 1.33 applications annually. The burden per application is projected at 200 hours; the total estimated annual burden to the Federal government for 1.33 expected design certifications applications per year is (1.33 applications x 200 hours per application = 266 hours); and an annual cost of \$74,214 (266 hours x \$279 per hour = \$74,214).

Within the next 3 years, the staff anticipates the review of about 3 additional license renewal applications for commercial power reactors; resulting in 1 application annually. The burden per application is projected at 4,100 hours; the total estimated annual burden to the Federal government for 1 expected license renewal application per year is (1 license renewal application x 4,100 hours per application = 4,100 hours); and an annual cost of \$1,143,900 (4,100 hours x \$279 per hour = \$1,143,900).

With respect to Section 51.54 (Environmental Reports for Manufacturing License), the NRC does not anticipate any submittals during the effective period of this clearance.

For research and test reactor reviews, the staff anticipates reviews of some combination of the following types: non-power reactor renewals, research reactor power upgrade, and decommissioning requests. Within the next 3 years, the staff estimates (a total of 9 reviews); resulting in 3 reviews annually. The burden per request is approximately 20 hours; the total estimated annual burden to the Federal government for 3 requests per year is (3 requests x 20 hours per request = 60 hours); and an annual cost of \$16,740 (60 hours x \$279 per hour = \$16,740).

Materials licenses vary in type, and cost. Materials licensing actions that require EISs are identified in 51.20(b)(7)-(13). Other actions, as identified in Section 51.21, may or may not require preparation of an EIS. Of these types, 18 actions are projected over the next 3 years; resulting in 6 actions annually. The burden per request for the Federal government is approximately 5,096 hours; the total estimated annual burden to the Federal government for 6 requests per year is (6 requests x 5,096 hours per request = 30,576 hours); and an annual cost of \$8,530,704 (30,576 hours x \$279 per hour = \$8,530,704).

For petitions for rulemaking (PRM), the staff anticipates 3 PRMs within the next 3 years; 1 PRM annually. The burden per request is approximately 80 hours; the total estimated annual burden to industry for 1 PRM per year is (1 PRM x 80 hours per PRM = 80 hours); and an annual cost of \$22,320 (80 hours x \$279 per hour = \$22,320).

The overall estimated cost to the government is \$13,588,360 (48,703.8 hrs x \$279)

15. Reasons for Change in Burden or Cost

The overall annual burden decreased by 50,710 hours annually from 98,814 hours to 48,104 hours. This decrease occurred due to:

- License amendments are expected to increase by 5 respondents; however, the burden has been re-evaluated to be 20 hours per response resulting in a decrease of 700 hours annually.
- Combined licenses will decrease by 2.33 respondents and 24,000 hours annually.
- Early Site Permits will decrease by 0.67 respondents and 7,524 hours annually.
- Design Certifications are expected to decrease by 1 respondent and 60 hours annually.
- Amended Design Certifications are expected to decrease by 5 respondents and 300 hours annually.
- License Renewals are expected to decrease by 2 respondents and 24,600 hours annually.
- Research and Test Reactors are expected to decrease by 4.67 respondents and 280 hours annually.

Burden Increases:

During this clearance period, the agency expects increases in a few areas as follows:

- Requests for exemptions will increase by 8 respondents and 40 hours annually.
- Requests to withhold proprietary information from disclosure will increase by 1 respondent and 10 hours annually.
- Construction permit stage environmental reports will increase by 0.33 respondents and 3,536 hours annually.
- Materials license environmental reviews will increase by 0.67 respondents and 1,118 hours annually.
- Petitions for rulemaking will increase by 1 respondent and 80 hours annually.

Cost estimates have increased since the last clearance because of an increase in the fee rate from \$273/hr. to \$279/hr.

16. Publication for Statistical Use

NRC does not publish information submitted in accordance with 10 CFR Part 51 for statistical use.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

Table 1

## 10 CFR PART 51 BURDEN TABLE

## ANNUAL REPORTING BURDEN

		Number of Respondents	Responses per Respondent	Total Responses	Burden per Response	Total Annual Burden Hours	Cost @ \$279 per hour.
51.6	Request for exemptions	8	1	8	5	40	\$11,160
51.16(b)	Request to withhold proprietary information from disclosure	1	1	1	10	10	\$2,790
51.41	Establishes NRC's general authority to require environmental information from applicants, as required <ul style="list-style-type: none"> <li>License Amendments</li> </ul>	25	1	25	20	500	\$139,500
51.45	Establishes general requirements of applicant's Environmental Reports (ER)	(Cost included under the specific ER reporting requirements)					
51.50, 51.51, 51.52, AND 51.55	Specific Requirements for ER						
	• Combined License	1	1	1	10,300	10,300	\$2,873,700
	• Construction Permit Stage	0.67	1	0.67	10,400	6,968	\$1,944,072
	• Amended Design Certification	0	1	0	60	0	\$0
	• Early Site Permit	0.67	1	0.67	11,400	7,638	\$2,131,002
	• Design Certification	1.33	1	1.33	60	79.8	\$22,264

Table 1  
10 CFR PART 51 BURDEN TABLE

ANNUAL REPORTING BURDEN

		Number of Respondents	Responses per Respondent	Total Responses	Burden per Response	Total Annual Burden Hours	Annual Cost @ \$279 per hour.
51.53	Specific requirements for applicant's post-construction ER <ul style="list-style-type: none"> <li>• License Renewals</li> <li>• Research and Test Reactors</li> </ul>	1 3	1 1	1 3	12,300 60	12,300 180	\$3,431,700 \$50,220
51.54	Specific requirements for applicant's ER for Manufacturing License	0	1	0	0	0	\$0
51.58	(States the number of copies required)	(Cost included under the specific ER reporting requirements)					
51.60, 51.61, and 51.62	Specific requirements for applicant's ER-Materials License	6	1	6	1,668	10,008	\$2,792,232
51.66(a) and (b)	(States the number of copies to be filed)	(Cost included under the specific ER reporting requirements)					
51.68	Specific requirements for petitioner's ER-Rulemaking	1	1	1	80	80	\$22,320
TOTALS		48.7	N/A	48.67	N/A	48,103.8	\$13,420,960