

DRAFT SUPPORTING
STATEMENT FOR
NRC FORM 7, "APPLICATION FOR NRC EXPORT/IMPORT
LICENSE, AMENDMENT, RENEWAL OR CONSENT REQUEST(S)"
(3150-0027)

EXTENSION

Description of the Information Collection

The United States (U.S.) Nuclear Regulatory Commission (NRC), under the Atomic Energy Act of 1954, as amended, (AEA) and Title II of the Energy Reorganization Act of 1974, as amended, has authority for exercising export and import controls over nuclear equipment and material. All persons who wish to export or import nuclear equipment and material as specified in 10 CFR Part 110, Sections 110.8, 110.9, and 110.9a must provide certain information to enable the NRC and the Executive Branch to make required export and import licensing determinations to ensure compliance with NRC regulations and to satisfy statutory requirements of the AEA.

"NRC Form 7, Application For NRC Export Or Import License, Amendment, Renewal, Or Consent Request(s)," is used to collect the information needed for compliance with the requirements in the AEA.

A. JUSTIFICATION

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

Pursuant to the Atomic Energy Act of 1954, as amended, the NRC uses NRC Form 7 as a multipurpose license application form designed to allow persons to provide the minimum amount of information necessary for NRC to fulfill the statutory and regulatory requirements governing exports and imports of nuclear material and equipment under the NRC's authority. The form is clear, concise, easy to understand, and simple to prepare.

Completion of the NRC Form 7 is required to obtain an authorization to import or export nuclear equipment and material under NRC jurisdiction. The form supports an agency reporting requirement from the public to provide information to the NRC for its review and consideration in granting authorization to import or export nuclear equipment and material.

2. Agency Use and Practical Utility of Information

Data collected on the NRC Form 7 provides the Commission with the information needed to describe the materials proposed for import or export, identifies the country(ies) receiving the materials, names any other parties to the transaction, and

provides multiple means to contact the applicant if the Commission has additional questions. With this information, the Commission and the Executive Branch are able to easily review the license application and make the required licensing determinations to ensure compliance with regulations. If all the applicable statutory, regulatory, and policy considerations are satisfied, the NRC will issue a license.

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. The NRC has issued [Guidance for Electronic Submissions to the NRC](#) which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished via the following avenues: the Electronic Information Exchange (EIE) process, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (OSM) (e.g. CD-ROM, DVD), by facsimile or by e-mail.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

The requirements specified in 10 CFR §§ 110.20, 110.31, and 110.32 are the same for large and small businesses, because the nuclear proliferation, security and policy concerns are the same; therefore, all businesses must provide the same data. To reduce the burden to small businesses, the NRC has established general licenses which exempt from new controls many of the shipments that were of particular concern to small businesses. Further, the NRC allows small businesses to apply for broad, long-term licenses to export materials to reduce burdens associated with paperwork expenses, license application fees, and uncertainties in delivery.

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

The information requested in 10 CFR §§ 110.20-110.23 cannot be collected on a less frequent basis because it reflects the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste to help ensure that radioactive waste coming into or leaving the U.S. is subject to U.S. Government approval and consent of other involved parties.

The information requested in 10 CFR §§ 110.31-32 is submitted only when deemed necessary by respondents and is keyed to the decision criteria that guides the NRC in approving or denying applications. It specifically incorporates the requirements of the Atomic Energy Act of 1954, as amended. Therefore, if the collection is not conducted

or is conducted on a less frequent basis, a person who wishes to export under NRC's export authority would be unable to do so because the NRC could not make the necessary determination on whether a license should be issued.

7. Circumstances which Justify Variation from OMB Guidelines

None.

8. Consultations Outside the Nuclear Regulatory Commission

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register*.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of 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 are no sensitive questions.

12. Estimated Burden and Burden Hour Cost

The NRC estimates 85 applications will be filed annually on NRC Form 7. The \$263 hourly rate used in the burden estimates is based on the Nuclear Regulatory Commission's fee for hourly rates as noted in 10 CFR 170.20 "Average cost per professional staff-hour." For more information on the basis of this rate, see the Revision Of Fee Schedules; Fee Recovery For Fiscal Year 2017 (82 FR 30682; June 30, 2017). Using an average cost of \$263 per hour for reactor licenses and material licensees, the annual cost required to prepare the NRC Form 7 is estimated as follows:

Annual Reporting or Disclosure Burden for NRC Form 7:

<u>Annual Number of Respondents</u>	<u>Annual Number of Responses per Respondent</u>	<u>Hours per Response</u>	<u>Total Hours</u>	<u>Cost</u>
85	1	2.4	204	\$53,652

The total annual burden is estimated to cost \$53,652 (204 x \$263).

13. Estimate of Other Additional Costs

There are no additional cost.

14. Estimated Annualized Cost to the Federal Government

The staff has developed estimates of annualized costs to the Federal Government related to the conduct of this collection of information. These estimates are based on staff experience and subject matter expertise and include the burden needed to review, analyze, and process the collected information and any relevant operational expenses. The collection of information under the NRC Form 7 is estimated to require a total of 2,210 hours annually. This is based on license processing fee data collected during the agency's most recent Biennial Fee Review conducted in August, 2016. This is based on an average of 26 hours to process each of the estimated 85 annual responses processed annually ($26 \times 85 = 2,210$). Therefore, the revised total annual cost to the Federal Government, at \$263 per hour for licenses, is \$581,230 (2,210 professional staff hours x \$263).

15. Reasons for Changes in Burden or Cost

The overall burden decreased by 48 hours, from 252 to 204 in response to a reduction in the number of respondents from 105 to 85. Fewer applications are expected due to the licensees of byproduct material now being able to receive licenses with longer validity periods than in earlier review cycles.

There was a change in the overall cost because the hourly rate decreased from \$279 to \$263.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in the collection of information.