

FINAL SUPPORTING STATEMENT
FOR THE NUCLEAR ENERGY INNOVATION AND MODERNIZATION ACT
LOCAL COMMUNITY ADVISORY BOARD QUESTIONNAIRE

NEW

(3150-XXXX)

Description of the Information Collection

The U.S. Nuclear Regulatory Commission (NRC) is undertaking activities as directed by Section 108 of the Nuclear Energy Innovation and Modernization Act (NEIMA) to develop a report identifying best practices for establishment and operation of local community advisory boards (CABs). As part of developing the report, the NRC plans to host a minimum of ten public meetings to discuss best practices and lessons learned associated with community advisory boards at decommissioning nuclear power reactors. In addition to these public meetings, the NRC has developed a questionnaire to collect information regarding the areas identified in NEIMA with respect to the creation and operation of CABs. These topics will include a description of the type of topics that might be brought before a community advisory board; how the board's input could inform the decision-making process for various decommissioning stakeholders; how the board might interact with other State and Federal agencies to promote dialogue between the licensee and impacted stakeholders; and how the board could offer opportunities for public engagement throughout the decommissioning process. The NRC will issue a report to Congress in June 2020 identifying CAB best practices in accordance with NEIMA.

Respondents will be the existing CABs in the vicinity of power reactors undergoing decommissioning, similar established stakeholder groups, or local government organizations. One response per group is anticipated.

A. JUSTIFICATION

1. Need For the Collection of Information

The NRC is planning to coordinate activities in accordance with Section 108 of NEIMA to collect information on the use of CABs during decommissioning activities and issue a best practices report. The information is needed in order for the staff to comply with requirements in NEIMA to submit a best practices report on CABs to Congress. Section 108 of NEIMA states:

BEST PRACTICES REPORT.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publicly available, a report identifying best practices with respect to the establishment and operation of a local community advisory board to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect, including lessons learned from any such board in existence before the date of enactment of this Act.

(b) CONTENTS.—The report described in subsection (a) shall include—
(1) a description of—

- (A) the topics that could be brought before a local community advisory board;
 - (B) how such a board's input could be used to inform the decision-making processes of stakeholders for various decommissioning activities;
 - (C) what interactions such a board could have with the Commission and other Federal regulatory bodies to support the board members' overall understanding of the decommissioning process and promote dialogue between the affected stakeholders and the licensee involved in decommissioning activities; and
 - (D) how such a board could offer opportunities for public engagement throughout all phases of the decommissioning process;
- (2) a discussion of the composition of a local community advisory board; and
- (3) best practices relating to the establishment and operation of a local community advisory board, including—
- (A) the time of establishment of such a board;
 - (B) the frequency of meetings of such a board;
 - (C) the selection of board members;
 - (D) the term of board members;
 - (E) the responsibility for logistics required to support such a board's meetings and other routine activities; and
 - (F) any other best practices relating to such a local community advisory board that are identified by the Commission.
- (c) CONSULTATION.—In developing the report described under subsection (a), the Commission shall consult with any host State, any community within the emergency planning zone of an applicable nuclear power reactor, and any existing local community advisory board.

2. Agency Use and Practical Utility of Information

The NRC will evaluate responses to the questionnaire and use the information to gain insights related to the formation and operation of CABs. In accordance with NEIMA, the NRC will use this information to develop a report identifying CAB best practices.

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. Additionally, respondents are able to submit the requested information using fillable-fillable forms and/or computer-readable formatted forms. It is estimated that approximately 100% of the potential 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.

5. Effort to Reduce Small Business Burden

Not applicable.

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

The information collection is proposed as one-time effort. The NRC staff has determined that the best way to obtain feedback regarding the formation and operation of CABs is through direct feedback from CABs and stakeholders through the questionnaire. The consequences of not collecting this information from CABs and stakeholders could potentially impact the assessment of best practices and the understanding of community-specific or site-specific factors that contribute to the formation and operation of CABs; therefore, the NRC staff would not be complying with NEIMA if this activity is not completed.

7. Circumstances Which Justify Variation from OMB Guidelines

Not applicable.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on April 19, 2019 (84 FR 16547). As part of the consultation process, the NRC staff contacted four potential respondents via email, including the chairs of two existing community advisory boards at sites undergoing decommissioning and two licensees for sites undergoing decommissioning at which no advisory boards are currently in existence. No comments were received in response to these consultations.

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). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

Not Applicable.

12. Estimated Burden and Burden Hour Cost

There are currently 22 power reactors undergoing decommissioning at 19 different sites in the United States. The NRC is aware of existing CABs at seven of these locations. There are two sets of questions contained in the questionnaire, and each respondent will be asked to respond to the set of questions most appropriate for their current scenario. One set of questions is applicable to sites where a CAB has been established, and the second set of questions is applicable to sites where a CAB has not been established.

Sites where a CAB has been established: The NRC staff expects the 7 existing CABs to respond to the set of questions applicable to sites where a CAB has been established. The expected response rate for existing CABs is 100%, based upon the high level of public interest and engagement at nearby power reactor sites. The NRC staff estimates that of the 7 groups contacted, 7 groups will respond to the questionnaire and that the questionnaire will take 14 hours to complete. The total burden for sites where a CAB has been established is therefore estimated to be 98 hours (7 groups x 14 hrs = 98 hours).

Sites where a CAB has not been established: The second group of respondents represents the remaining 12 locations where power reactors are currently undergoing decommissioning in the United States. At sites where established stakeholder groups regularly interact with NRC staff, each group will be notified of the availability of the questionnaire and given an opportunity to provide a response. At sites where stakeholder groups are not established or known to the NRC staff, the questionnaire will be provided to local government officials (such as a town council.) The NRC staff expects each respondent in this group to provide responses to the set of questions applicable to sites where a CAB has not been established. The expected response rate for this group of respondents is approximately 67%. This response rate is estimated based on the level of public interest and engagement shown at nearby power reactor sites during previous NRC-sponsored activities, such as public meetings. The NRC staff estimates that of the 12 groups contacted, 8 groups will respond to the questionnaire and that it will take approximately 8 hours to complete. The total burden for sites where a CAB has not been established is therefore estimated to be 64 hours (8 groups x 8 hrs = 64 hours).

The total burden is therefore estimated to be 162 hours (98 hours for the 7 sites with established CABs + 64 hours for sites where a CAB has not been established) at a cost of \$44,550 (162 hours x \$275/hr). The annualized burden is estimated to be approximately 54 hours (162 hours / 3 years) at a cost of \$14,850.

The \$275 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 2018 (83 FR 29622, June 25, 2018).

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The staff estimates that the survey will require 100 hours of NRC professional staff time at a cost of \$275/hr, for a total of \$27,500 (100 hrs x \$275/hr). The total cost to the Federal Government is estimated to be \$27,500 to conduct the survey one time during the clearance period. Annualized, the cost is estimated to be \$9,167 (\$27,500/ 3 years).

15. Reasons for Change in Burden or Cost

This is a new program to comply with Section 108 of NEIMA to collect information on the use of CABs during decommissioning activities and issue a best practices report to Congress, which will take 162 hours for 15 respondents, or approximately 54 hours annually over the course of the clearance period. This information collection is a one-time effort.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed.

18. Exceptions to the Certification Statement

Not applicable.

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B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Respondent Description.

Respondents will be the existing CABs in the vicinity of power reactors undergoing decommissioning, similar established stakeholder groups, or local government organizations. One response per group is anticipated.

There are currently 22 power reactors undergoing decommissioning at 19 locations in the United States. At sites where established stakeholder groups regularly interact with NRC staff, each group will be notified of the availability of the questionnaire and given an opportunity to provide a response. At sites where stakeholder groups are not established or known to the NRC staff, the questionnaire will be provided to local government officials (such as a town council.)

- The NRC staff anticipates a 100 percent response rate from the 7 existing CABs, based upon the high level of public interest and engagement at nearby power reactor sites.
- The NRC staff anticipates a 67% response rate at the remaining 12 locations where power reactors are currently undergoing decommissioning in the United States at sites where a CAB has not been established. The response rate is estimated based on the level of public interest and engagement shown at nearby power reactor sites during previous NRC-sponsored activities, such as public meetings.

2. Procedures for collecting the information.

Through public engagement opportunities in the decommissioning process, the NRC is generally aware of existing CABs (or similar groups) in the vicinity of shutdown power reactors. The NRC staff has identified points of contact for these boards/groups. Each established CAB in the vicinity of power reactors undergoing decommissioning will receive a letter of notification of the availability of the questionnaire. In locations where a CAB has not yet been established, a letter of notification will be sent to a similar stakeholder group or local government organization. The groups may respond to the questionnaire through an online form, via email, or in a hard copy letter, depending on their preference. Two weeks after the letter is sent, the NRC staff will follow up with non-respondents by phone or email and offer to resend the questionnaire. Due to the nature of the questions, which pertain to the organization and operation of CABs, there are no concerns regarding anonymity of the respondents.

The groups will be asked to respond to generic questions related to the formation and operation of CABs, including best practices or lessons learned from established boards. The number of questions that pertain to each group may vary based on community-specific or site-specific factors; however, the results of this questionnaire will be used for qualitative assessments of best practices. The NRC staff will issue a report to Congress in June 2020 discussing the results of this questionnaire and identifying these best practices.

Screenshots of the electronic format for submitting the information collection have been submitted to OMB as a supplementary document. In the electronic format, one question will require a response (“Is this feedback associated with a particular site?”). Having one question with a required response will reduce the ability for an internet “bot” to complete and submit the survey. A respondent will not be required to answer any other questions on the survey in order to submit it.

3. Methods to maximize response rates and to deal with statistical issues of non-response.

Respondents will receive an initial letter, then two weeks later they will receive email notification of the availability of the survey, and will be given 30 days to participate. One week after the initial email, all respondents will receive a second email thanking those who have participated and requesting the participation of those who have not yet responded.

4. Tests or procedures.

No tests or pilot studies are planned.

5. Contacts for Statistical Aspects and Data Collection.

NRC staff who are involved in the administration and review of the results for the questionnaire include:

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