

PDR

Request for OMB Review

DESIGNED TO ORIGINAL
Rutledge Smith

Important

Read instructions before completing form. Do not use the same SF 83 to request both an Executive Order 12291 review and approval under the Paperwork Reduction Act.
Answer all questions in Part I. If this request is for review under E.O. 12291, complete Part II and sign the regulatory certification. If this request is for approval under the Paperwork Reduction Act and 5 CFR 1320, skip Part II, complete Part III and sign the paperwork certification.

Send three copies of this form, the material to be reviewed, and paperwork—three copies of the supporting statement, to:

Office of Information and Regulatory Affairs
Office of Management and Budget
Attention: Docket Library, Room 3201
Washington, DC 20503

PART I.—Complete This Part for All Requests.

1. Department/agency and Bureau/office originating request U. S. Nuclear Regulatory Commission	2. Agency code 3 1 5 0
3. Name of person who can best answer questions regarding this request Sterling Bell	Telephone number 301 492-0617
4. Title of information collection or rulemaking NRC Form 241 - Report of Proposed Activities in Non-Agreement States	
5. Legal authority for information collection or rule (cite United States Code, Public Law, or Executive Order) 42 USC 2201(o)	
6. Affected public (check all that apply): <input type="checkbox"/> 1. Individuals or households <input type="checkbox"/> 2. State or local governments <input type="checkbox"/> 3. Farms <input checked="" type="checkbox"/> 4. Businesses or other for-profit <input type="checkbox"/> 5. Federal agencies or employees <input type="checkbox"/> 6. Non-profit institutions <input checked="" type="checkbox"/> 7. Small businesses or organizations	

PART II.—Complete This Part Only if the Request is for OMB Review Under Executive Order 12291

7. Regulation identifier (number, title, or name) None assigned

Classification	Stage or development	Type of review requested
<input type="checkbox"/> Major	<input type="checkbox"/> Proposed or draft	1 <input type="checkbox"/> Standard
<input type="checkbox"/> Nonmajor	<input type="checkbox"/> Final or interim final, with prior proposal	2 <input type="checkbox"/> Pending
	<input type="checkbox"/> Final or interim final, without prior proposal	3 <input type="checkbox"/> Emergency
		4 <input type="checkbox"/> Statutory or judicial deadline

8. CFR section affected: **CFR**

9. Does this regulation contain reporting or recordkeeping requirements that require OMB approval under the Paperwork Reduction Act and 5 CFR 1320? Yes

10. If a major rule, is there a regulatory impact analysis attached?
 If "No," did OMB waive the analysis?
 1 Yes
 2 Yes

Certification for Regulatory Submissions

In submitting this request for OMB review, the authorized regulatory contact and the program official certify that the requirements of E.O. 12291 and any applicable policy directives have been complied with.

Signature of program official	Date
Signature of authorized regulatory contact	Date

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2. (OMB use only)

SUPPORTING STATEMENT
FOR
NRC FORM 241
REPORT OF PROPOSED ACTIVITIES IN NON-AGREEMENT STATES

Description of the Information Collection

Any Agreement State licensee who engages in activities (use of radioactive byproduct material) in non-Agreement States under the general license in Section 150.20 is required to file with the Nuclear Regulatory Commission (NRC) four copies of NRC Form 241 and four copies of the Agreement State license at least three days before engaging in such activity. The three-day time schedule permits the NRC regional office to schedule inspections of these activities.

Justification

Need for the Collection of Information

Section 274 of the Atomic Energy Act of 1954, as amended, authorizes the NRC to enter into an agreement with the Governor of any state providing for discontinuance of certain regulatory authority of the Commission. Under NRC's regulations in 10 CFR Part 150, "Exemptions and Continued Regulatory Authority in Agreement States Under Section 274," the NRC refrains from exercising certain licensing authority in Agreement States and exempts persons in those states from certain NRC licensing requirements.

Section 150.20 establishes a general license whereby NRC authorizes any person who holds a specific license from an Agreement State to conduct the same activity in non-Agreement States for a period not to exceed 180 days in any calendar year. Any Agreement State licensee who engages in activities under the general license in Section 150.20 is required to file with the NRC regional office four copies of Form 241 and four copies of the Agreement State license at least three days before engaging in such activity. The NRC regional office may authorize an Agreement State licensee to commence activity upon notification by telephone of intent to conduct the proposed activity under general license, provided that Form 241 is filed within three days after the telephone notification. The NRC regional office may waive the requirements for filing additional copies of NRC Form 241 during the remainder of the calendar year following the receipt of the initial NRC Form 241.

Agency Use of Information

The report informs NRC of the locations and dates of activities conducted in non-Agreement States by Agreement State licensees under the general license of 10 CFR Section 150.20. This notification permits the NRC regional office to schedule inspections of the activities to determine whether the activities are conducted in accordance with NRC regulations and license conditions and are consistent with good health and safety practices.

Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden through information technology. However, because of the limited information required and the infrequency of submission, the report does not lend itself readily to the use of automated information technology for submission.

Effort to Identify Duplication

The Information Requirements Control Automated System (IPCAS) was searched to determine duplication. None was found.

Effort to Use Similar Information

There is no similar information available to NRC.

Effort to Reduce Small Business Burden

Some of the Agreement State licensees who use byproduct material in non-Agreement States are small businesses. However, because the health and safety consequences of improper handling or use of byproduct are the same for large and small entities, it is not possible to reduce the burden on small businesses by less frequent or less complete reporting. In addition, the burden of the notification is slight.

Consequences of Less Frequent Collection

The forms are submitted only as the specified uses occur. The NRC regional office may waive the requirement for filing additional forms during the remainder of the calendar year following the receipt of the initial Form 241 from the Agreement State licensee.

Circumstances Which Justify Variation from OMB Guidelines

Contrary to the OMB guidelines in 5 CFR 1320.6(c), Section 150.20 requires the submission of four copies of Form 241. The NRC regional office retains one copy, and sends one copy to the host Agreement State, one copy to the receiving state in which the operations will be conducted, and one copy to the NRC Regional Office in which the other state is located.

Consultation Outside the NRC

There have been no consultations since the last clearance of Form 241.

Confidentiality of Information

None. The information submitted to NRC on Form 241 is available to the public.

Sensitive Questions

None

Estimated Annualized Cost to the Federal Government

Based on historical data, it is expected that approximately 200 NRC Forms 241 will be filed annually. It is estimated that about one hour is expended annually for the review, acknowledgement and further dissemination of each form. The estimated annual cost to the government is \$19,000 (200 hours X \$95/hr).

Estimate of Burden

The burden on the respondent is 15 minutes per form, or an annual industry burden of 50 hours (200 responses X .25 hours per response). The estimated annual cost to the industry is \$4,750 (50 hours X \$95/hr).

Reasons for Change in Burden

There is no change in burden.

Publication for Statistical Use

None.

U.S. NUCLEAR REGULATORY COMMISSION

REPORT OF PROPOSED ACTIVITIES IN NON-AGREEMENT STATES

PLEASE READ THE INFORMATION AND INSTRUCTIONS CONTAINED ON THIS COVER SHEET
BEFORE COMPLETING THE ATTACHED FORM.

INSTRUCTIONS

Submit this Form and the Agreement State specific license in quadruplicate at least 3 days prior to engaging in each activity permitted under the General License established by Sec. 150.20 of 10 CFR 150. Send to:

The U.S. Nuclear Regulatory Commission Regional Administrator listed in Appendix D of Part 20 of this chapter for the region in which the Agreement State that issued the specific license is located.

Section 150.20 of 10 CFR 150 establishes a general license authorizing any person who holds a specific license from an "Agreement State" (a State with which the U.S. Nuclear Regulatory Commission has entered into an effective agreement under subsection 274b of the Atomic Energy Act of 1954) where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, to conduct the same activity in "Non-Agreement States" if the specific license issued by the Agreement State does not limit the authorized activity to specified installations or locations.

§ 150.20 Recognition of Agreement State licenses.

(a) Subject to the provisions of paragraph (b) of this section, any person who holds a specific license from an Agreement State where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the same activity in non-Agreement States: *Provided*, That the specific license does not limit the activity authorized by the license to specified installations or locations.

(b) Notwithstanding any provision to the contrary in any specific license issued by an Agreement State to a person who engages in activities in a non-Agreement State under a general license provided in this section, the general license provided in this section is subject to the provisions of §§ 30.14(d), 30.34, 30.41, and 30.51 to 30.63 inclusive of Part 30 of this chapter; §§ 40.41, 40.51, 40.51 to 40.63 inclusive, 40.71, and 40.81 of Part 40 of this chapter; and §§ 70.32, 70.42, 70.51 to 70.56 inclusive, 70.61, 70.62, and 70.71 of Part 70 of this chapter; and to the provisions of Parts 19, 20, and 71 and Subpart B of Part 34 of this chapter. In addition any person who engages in activities in non-Agreement States under a general license provided in this section:

(1) Shall, at least 3 days prior to engaging in each such activity, file four copies of NRC Form 241 (revised), "Report of Proposed Activities in Non-Agreement States," and four copies of his Agreement State specific license with the U.S. Nuclear Regulatory Commission Regional Administrator listed in Appendix D of Part 20 of this chapter for the region in

which the licensee, after filing this report, proposes to conduct activities in non-Agreement States not specified in this report, an amended NRC Form 241 should be filed with the Commission's Regional Administrator.

NOTE: ACTIVITIES, INCLUDING STORAGE, CONDUCTED IN NON-AGREEMENT STATES UNDER THE GENERAL LICENSE ARE LIMITED TO A TOTAL OF 180 DAYS IN ANY CALENDAR YEAR.

which the Agreement State that issued the specific license is located. The Nuclear Regulatory Commission Regional Administrator may authorize such person to commence the activity upon notification by telephone of intent to conduct the proposed activity under the general license: *Provided*, however, That four copies of NRC Form 241 (revised) and four copies of the Agreement State license shall be filed within 3 days after the telephone notification. The Nuclear Regulatory Commission Regional Administrator may waive the requirement for filing additional NRC Form 241 (revised) during the remainder of the calendar year following the receipt of the initial NRC Form 241 (revised) from a person engaging in activities under the general license provided in this section:

(2) Shall not, in any non-Agreement State, transfer or dispose of radioactive material possessed or used under the general license provided in this section except by transfer to a person (i) specifically licensed by the Commission to receive such material, or (ii) exempt from the requirements for a license for such material under § 30.14 of this chapter;

(3) Shall not possess or use radioactive material, or engage in the activities authorized in paragraph (a) of this section for more than 180 days in any calendar year;

(4) Shall comply with all terms and conditions of the specific license issued by an Agreement State except such terms or conditions as are contrary to the requirements of this section.

REPORT OF PROPOSED ACTIVITIES IN NON-AGREEMENT STATES

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 2.4 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (RA/BA 9714), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0015), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

(Please read the instructions on the cover sheet before completing this form.)

1. NAME OF LICENSEE (Person or firm proposing to conduct the activities described below)	2. ADDRESS OF LICENSEE (Mailing address or other location where licensee may be located)
3. NAME OF PERSON AUTHORIZED BY LICENSEE TO PERFORM ACTIVITY	

4. DESCRIPTION OF ACTIVITIES TO BE CONDUCTED IN NON-AGREEMENT STATES UNDER THE GENERAL LICENSE GIVEN IN 10 CFR 150.20

5. LOCATIONS AT WHICH THESE ACTIVITIES WILL BE CONDUCTED AND DATES SCHEDULED.

STREET AND NUMBER OR OTHER LOCATION (Give as complete an address as possible)	CITY AND STATE	DATES SCHEDULED		NO. OF DAYS
		FROM	TO	

6. LIST SEALED SOURCES, OR DEVICES CONTAINING SEALED SOURCES, WHICH WILL BE POSSESSED, USED, INSTALLED, SERVICED OR TESTED IN NON-AGREEMENT STATES. (Include description of type and quantity of radioactive material contained in each sealed source or device.)

7. NUMBER OF SPECIFIC LICENSE AND NAME OF STATE ISSUING SUCH SPECIFIC LICENSE WHICH AUTHORIZES THE UNDERSIGNED TO CONDUCT ACTIVITIES WHICH ARE THE SAME, EXCEPT FOR LOCATION OF USE, AS THOSE SPECIFIED IN ITEM 4 ABOVE. (Four copies of the specific license must accompany this report.)

CERTIFICATE:

<p data-bbox="118 1483 812 1521">8. I, THE UNDERSIGNED, HEREBY CERTIFY THAT:</p> <p data-bbox="118 1542 812 1585">a. All information in this report is true and complete.</p> <p data-bbox="118 1606 812 1787">b. I have read and understand the provisions of the general license 10 CFR 150.20 reprinted on the cover sheet of this form set; and I understand that I am required to comply with these provisions as to all byproduct, source, or special nuclear material which I possess and use in non-Agreement States under the general license for which this report is filed with the U.S. Nuclear Regulatory Commission.</p> <p data-bbox="118 1808 812 1893">c. I understand that activities, including storage, conducted in non-Agreements under general license 10 CFR 150.20 are limited to a total of 180 days in any calendar year.</p>	DATE
	LICENSEE'S NAME (TYPE OR PRINT)
	CERTIFYING OFFICIAL
	SIGNATURE
TITLE	

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.