PDR

Standard Form 83
(Rev. September 1983)

Request for OMB Review

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 for 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

3150

3. Name of person who can best answer questions regarding this request

Don Kasun

Telephone number

(301) 492-3379

4. Title of information collection or rulemaking

10 CFR Part 73 - Physical Protection of Plants and Materials

5. Legal authority for information collection or rule *(cite United States Code, Public Law, or Executive Order)*

42 USC 2201(o) , or

6. Affected public *(check all that apply)*

1 ☐ Individuals or households
2 ☐ State or local governments
3 ☐ Farms
4 ☒ Businesses or other for-profit
5 ☒ Federal agencies or employees
6 ☒ Non-profit institutions
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 (RIN)

____ ____ ____ ____ ____ ____ ____ ____ ____ ____, or, None assigned ☐

8. Type of submission *(check one in each category)*

Classification

1 ☐ Major
2 ☐ Nonmajor

Stage of development

1 ☐ Proposed or draft
2 ☐ Final or interim final, with prior proposal
3 ☐ Final or interim final, without prior proposal

Type of review requested

1 ☐ Standard
2 ☐ Pending
3 ☐ Emergency
4 ☐ Statutory or judicial deadline

9. CFR section affected

_____ CFR _____

10. Does this regulation contain reporting or recordkeeping requirements that require OMB approval under the Paperwork Reduction Act and 5 CFR 1320? ☐ Yes ☐ No

11. If a major rule, is there a regulatory impact analysis attached? 1 ☐ Yes 2 ☐ No

If "No," did OMB waive the analysis? 3 ☐ Yes 4 ☐ No

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 2 FEB 11

12. ***(OMB use only)***

Previous editions obsolete
NSN 7540-00-634-4034

83-108

Standard Form 83 (Rev. 9-83)
Prescribed by OMB
5 CFR 1320 and E.O. 12291

PART III.—Complete This Part Only if the Request is for Approval of a Collection of Information Under the Paperwork Reduction Act and 5 CFR 1320.

13. Abstract—Describe needs, uses and affected public in 50 words or less

"Atomic Energy Facilities, Radioactive Materials, Nuclear Facility Security"
10 CFR Part 73 prescribes requirements for establishment and maintenance of a physical protection system with capabilities for protection of special nuclear material at fixed sites and in transit and of plants in which special nuclear material is used.

14. Type of information collection *(check only one)*

Information collections not contained in rules

1 ☐ Regular submission
2 ☐ Emergency submission *(certification attached)*

Information collections contained in rules

3 ☒ Existing regulation *(no change proposed)*
4 ☐ Notice of proposed rulemaking (NPRM)
5 ☐ Final, NPRM was previously published
6 Final or interim final without prior NPRM
A ☐ Regular submission
B ☐ Emergency submission *(certification attached)*

7. Enter date of expected or actual Federal Register publication at this stage of rulemaking *(month, day, year)*: _____

15. Type of review requested *(check only one)*

1 ☐ New collection
2 ☐ Revision of a currently approved collection
3 ☒ Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection
4 ☐ Reinstatement of a previously approved collection for which approval has expired
5 ☐ Existing collection in use without an OMB control number

16. Agency report form number(s) *(include standard/optional form number(s))*

N/A

17. Annual reporting or disclosure burden

1 Number of respondents	8,700
2 Number of responses per respondent	3.46
3 Total annual responses *(line 1 times line 2)*	30,107
4 Hours per response	0.8
5 Total hours *(line 3 times line 4)*	24,168

18. Annual recordkeeping burden

1 Number of recordkeepers	8,700
2 Annual hours per recordkeeper	23.8
3 Total recordkeeping hours *(line 1 times line 2)*	207,349
4 Recordkeeping retention period	Varies - 3 years to duration of license years

19. Total annual burden

1 Requested *(line 17.5 plus line 18.3)*	231,517
2 In current OMB inventory	174,270
3 Difference *(line 1 less line 2)*	+ 57,247
Explanation of difference	
4 Program change	
5 Adjustment	+ 57,247

20. Current *(most recent)* OMB control number or comment number

3150-0002

21. Requested expiration date

3 years from approval date

22. Purpose of information collection *(check as many as apply)*

1 ☐ Application for benefits
2 ☐ Program evaluation
3 ☐ General purpose statistics
4 ☒ Regulatory or compliance
5 ☐ Program planning or management
6 ☐ Research
7 ☐ Audit

23. Frequency of recordkeeping or reporting *(check all that apply)*

1 ☒ Recordkeeping

Reporting

2 ☒ On occasion
3 ☐ Weekly
4 ☐ Monthly
5 ☐ Quarterly
6 ☐ Semi-annually
7 ☒ Annually
8 ☐ Biennially
9 ☐ Other *(describe)*: _____

24. Respondents' obligation to comply *(check the strongest obligation that applies)*

1 ☐ Voluntary
2 ☐ Required to obtain or retain a benefit
3 ☒ Mandatory

25. Are the respondents primarily educational agencies or institutions or is the primary purpose of the collection related to Federal education programs? ☐ Yes ☒ No

26. Does the agency use sampling to select respondents or does the agency recommend or prescribe the use of sampling or statistical analysis by respondents? ☐ Yes ☒ No

27. Regulatory authority for the information collection

10 CFR Part 73 ; or _____ FR _____ ; or, Other *(specify)*: _____

Paperwork Certification

In submitting this request for OMB approval, the agency head, the senior official or an authorized representative, certifies that the requirements of 5 CFR 1320, the Privacy Act, statistical standards or directives, and any other applicable information policy directives have been complied with.

Signature of program official	Date

Signature of agency head, the senior official or an authorized representative	Date
Joyce A. Amenta, Designated Senior Official for Information Resources Management Joyce Amenta	2/20/90

☆ GPO : 1984 O - 453-776

SUPPORTING STATEMENT
FOR
10 CFR PART 73
PHYSICAL PROTECTION OF PLANTS AND MATERIALS

Need for and Agency Use of the Information

NRC regulations in 10 CFR Part 73 prescribe requirements for the establishment and maintenance of a system for physical protection of special nuclear material (SNM) at fixed sites and in transit and of plants in which SNM is used. The regulations are issued pursuant to the Atomic Energy Act of 1954, as amended, and Title II of the Energy Reorganization Act of 1974, as amended. Part 73 contains reporting and recordkeeping requirements which are necessary to help ensure that an adequate level of protection is provided for nuclear facilities and material. In general, the reports and records are necessary for one or more of the following reasons:

1) Information describing the content and planned operation of the licensee's physical protection system (e.g., Security Plan or Contingency Plan). The information is essential to permit NRC to make a determination as to adequacy of the licensee's planned system in meeting regulatory requirements.

2) Information describing the normal operation of the physical protection system (e.g., access authorizations, equipment performance logs). The information is needed to permit NRC to make a determination as to reasonable assurance that the physical protection system operates in accordance with the regulatory requirements.

3) Information notifying NRC of the occurrence of and circumstances concerning abnormal events (e.g., report of theft, sabotage, or overdue shipment). The information is needed to enable NRC to fulfill its responsibilities to respond, investigate, and correct situations which adversely affect the public health and safety or the common defense and security.

The information included in the applications, reports and records is reviewed by the NRC staff to assess the adequacy of the applicant's physical plant, equipment, organization, training, experience, procedures and plans for protection of public health and safety and the common defense and security. The NRC review and the findings therefrom form the basis for NRC licensing decisions related to special nuclear material. Information concerning the requirements imposed by specific sections is provided below.

Section 73.5 provides that the Commission may grant exemptions from the requirements of the regulations in Part 73 under specified conditions, upon the application of any interested person or on its own initiative. Applications under this section are examined by the NRC staff to determine whether the requested exemption is authorized by law and whether it will not endanger life or property or the common defense and security, and to determine if it is otherwise in the public interest.

Section 73.20(c)(1) requires that, within 150 days of the effective date of the amended regulation, licensees submit a revised fixed site safeguards physical

protection plan and, if appropriate, a revised safeguards transportation protection plan. The required plans are used to review the adequacy of a licensee's intended security system and serve as an enforceable document for compliance and enforcement purposes.

Section 73.24(b)(1) requires that licensees maintain a log of the arrival at the final destination of each shipment. The record is necessary to ensure that there are not two or more shipments of SNM in transit at the same time which together would constitute a formula quantity, and to ensure verification of the arrival of the shipment.

Section 73.25(b) requires procedures to restrict access to and activity in the vicinity of transports and strategic special nuclear material (SSNM). Section 73.25(c) requires procedures to prevent or delay unauthorized entry or introduction of unauthorized materials into, and unauthorized removal of, SSNM from transports. Section 73.25(d) requires procedures for responding to safeguards contingencies and emergencies in order to engage and impede adversary forces until local law enforcement forces arrive. These procedures are necessary to protect the material while in transit.

Section 73.26(b)(3) requires that, prior to each shipment, licensees provide information to NRC concerning the identity of the shipper, consignee, carriers, transfer points, modes of shipment, and security arrangements for the shipment. The information is needed to permit NRC to assure that adequate measures will be taken to protect the material in transit.

Section 73.26(b)(4) requires that hand to hand receipts be completed at origin, destination, and all points enroute where there is a transfer of custody. These receipts are needed to provide a record of custody to verify that accountability for the shipment has been maintained.

Section 73.26(c) provides that required records must be maintained for three years after the licensee possesses the SNM, and that superseded material must be retained for three years after the change. The records are reviewed by NRC inspectors to ensure compliance with transportation protection requirements.

Section 73.26(d)(3) requires that licensees maintain a written management system to provide for the development, revision, implementation, and enforcement of transportation physical protection procedures. The system must include (1) written security procedures which document the structure of the transportation security organization and duties of personnel, and (2) provisions for written approval of procedures and revisions by the individual with overall responsibility for the security function. The information is needed to ensure compliance with, and oversight of, the transportaion protection plan.

Section 73.26(d)(4) requires that licensees maintain documentation of qualification and requalification of members of the security organization. The record of initial qualification must be maintained for the term of employment and the record of requalification must be retained for three years. The information is reviewed by NRC inspectors to ensure that security organization

members are properly qualified in accordance with the safeguards transportation protection plan.

Section 73.26(e)(1) requires licensees to maintain a written safeguards contingency plan for dealing with threats, thefts, and radiological sabotage related to SSNM in transit. The plan must be retained for three years after the possession of the SSNM and superseded material must be retained for three years after the change. The records are used by NRC inspectors to ensure that the licensee is adequately prepared to respond to different safeguards contingencies.

Section 73.26(h)(6) requires that licensees document the results of an annual audit of the transportation security program, along with recommendations for improvements, and that the documentation be retained as a record for five years. The records are reviewed by NRC inspectors to ensure that the effectiveness of the physical security system is evaluated by licensee personnel independent of security management and supervision.

Section 73.26(i)(1) requires that licensees prepare a detailed route plan showing the routes to be taken, refueling and rest stops, and call-in times to the movement control center. This document is used to plan the movement of the shipment so that it is made on primary highways with minimum use of secondary roads, and to ensure that adequate measures for support and communications are available to protect the shipment.

Sections 73.26(i)(6) and 73.26(k)(4) require that, in the event that no communication is received from the shipment or escort personnel at a designated call-in time, the licensee must notify law enforcement authorities and the NRC Regional Office immediately and initiate appropriate contingency plans. This notification is necessary so that NRC can ensure that timely response or investigation actions may undertaken.

Section 73.27(a)(1) requires that a licensee who delivers formula quantities of SSNM to a carrier for transport must immediately notify the consignee by telephone, telegraph, or teletype, of the time of departure of the shipment and method of transportation, including names of carriers, and the estimated time of arrival at destination. This information is needed to assure that the consignee is aware that the shipment is enroute so the consignee can carry out the safeguards transportation protection plan.

Section 73.27(a)(2) requires that, in the case of an f.o.b. shipment, the licensee shipper must obtain written certification from the consignee who is to take delivery at the f.o.b. point that the required physical protection arrangements have been made. This information is needed to assure that the safeguards transportation protection plan will be carried out.

Section 73.27(a)(3) requires that a shipper make arrangements to obtain immediate notification from the consignee of the arrival of a shipment at its destination or of any shipment that is lost or unaccounted for after the estimated time of arrival at its destination. This information is required so

that the licensee can promptly notify NRC of any missing material so that a trace investigation may be initiated.

Section 73.27(b) requires a licensee who receives a shipment of formula quantities of SSNM to immediately notify the shipper and NRC of the arrival of the shipment at its destination, or of the failure of a shipment to arrive at its destination at the estimated time. In the latter event, the shipper must also notify NRC of the actions being taken to trace the shipment. This information is needed to assure that accountability is maintained for SSNM in transit, so that appropriate measures may be taken to initiate a trace and undertake recovery action if necessary.

Section 73.27(c) requires that in the case of a lost or unaccounted for shipment, the licensee who made the physical protection arrangements must conduct a trace investigation and file with NRC a report of the investigation as specified in Section 73.71. This information is needed to permit NRC to determine whether all appropriate measures have been taken to trace and recover the material.

Section 73.37(a) requires licensees who ship irradiated reactor fuel to establish and maintain a physical protection system that includes provisions for notification to the appropriate response forces of any spent fuel shipment sabotage attempts. This notification is needed to assure that appropriate action is taken in accordance with the safeguards transportation protection plan.

Section 73.37(b) requires that the physical protection system include a number of provisions, including: 73.37(b)(1) - advance notice to NRC of each shipment in accordance with Section 73.72; 73.37(b)(2) - a copy of current procedures for coping with circumstances that threaten deliberate damage to a spent fuel shipment and with other emergencies; 73.37(b)(3) - a copy of instructions for each escort which require that, upon the detection of certain threats, the escort must inform local law enforcement agencies of the threat and request assistance; 73.37(b)(5) - a written log by the escorts and communications center personnel which describes significant events during the shipment; 73.37(b)(11) - calls by the escort to the communications center at least every 2 hours. These procedures are needed to ensure that appropriate measures are in place to protect the material during transport and that an adequate response is taken to emergencies affecting the shipment.

Section 73.37(f) requires that the licensee notify the governor of a state in writing prior to a shipment of spent fuel within or through a state. The notification must include information on the shipper, carrier, and receiver, the shipment, routes to be used within the state, and the schedule to be followed. The licensee must also notify a designated state official by telephone or other means of any schedule change that differs by more than six hours from the previous schedule. The notifications are necessary to ensure that the governor of the state is provided with advance information, not otherwise available to the governor, related to spent fuel transportation in the governor's state.

Section 73.40(b) requires that each licensee subject to specified sections of Part 73 prepare and maintain a safeguards contingency plan in accordance with the criteria in Appendix C of Part 73. The safeguards contingency plan must include plans for dealing with threats, thefts,, and radiological sabotage. The licensee must submit to the NRC for approval the first four categories of information contained in the plan--Background, Generic Planning Base, Licensee Planning Base, and Responsibility Matrix. The fifth category, Procedures, does not have to be submitted for approval. This document serves as a written record for the licensee, setting forth plans for dealing with contingencies. The plan is used by NRC in the licensing approval process to ensure that there is sufficient scope and depth in the contingency planning area and also serves as a compliance benchmark during the inspection process.

Section 73.40(c)(2) requires that licensees maintain a copy of the safeguards contingency plan procedures available at the site. This requirement is needed to assure compliance with the fixed site security contingency plan.

Section 73.40(d) requires that licensees must provide for the implementation, revision and maintenance of the safeguards contingency plan. To this end, licensees must provide for an annual independent review and audit of the plan, procedures and practices. The results must be documented, reported to the licensee's management, and kept available at the plant for inspection for three years. This requirement is needed to assure that the licensee's contingency plans are up to date and effective.

Section 73.45 requires that the licensee's fixed site physical protection system contain certain provisions, including the following:
73.45(b)(2)(i),(ii) - Access authorization control procedures;
73.45(c)(1)(i),(iii) - Detection and surveillance procedures to detect unauthorized activity;
73.45(d)(i)-(iv) - Procedures to detect unauthorized placement and movement of SSNM within material access areas;
73.45(e)(1)(ii) - Procedures for the detection, assessment and communication of any attempts at unauthorized removal of SSNM from material access areas;
73.45(e)(2)(i)-(iii) - Procedures to confirm the identity and quantity of SSNM presented for removal and the identity of persons making the removal;
73.45(f)(1)(ii) - Procedures to detect, assess, and communicate any unauthorized access or penetrations of the protected area;
73.45(f)(2)(i)(ii) - Procedures to verify the identity of persons, materials, and vehicles and assess such identity against current authorization schedules and to initiate response measures to deny unauthorized access;
73.45(g)(2) - Response plan for safeguards contingency events.
These plans and procedures are required in order to assure that measures are in place to control movement of persons, vehicles, and materials into or out of material access or vital areas and to detect, assess, and initiate appropriate response to any unauthorized penetration or access attempts.

Section 73.46(b)(1) requires that, if a contract guard force is utilized, the licensee have a written agreement with the contractor that contains provisions showing that the licensee is responsible to NRC for maintaining safeguards in accordance with NRC regulations and the licensee's security plan, that NRC may

inspect, copy, and remove copies of required reports and documents, and that the licensee must demonstrate the capability of the security force, including contractor personnel, to perform their assigned duties. This requirement is necessary to assure that the licensee makes the security force contractor aware of its responsibilities.

Section 73.46(b)(3) requires that the licensee have written security procedures which document the structure of the security organization and which detail the duties of the Tactical Response Team, guards, watchmen, and other individuals responsible for security. The licensee must also have provisions for written approval of such procedures and any revisions thereto by the individual with overall responsibility for the security function. These procedures are necessary to ensure that a management system is in place, that responsibilities and duties are set forth clearly, and that the security organization is adequate to provide protection in accordance with the security plan.

Section 73.46(b)(4) requires that licensees document the qualification and requalification of guards, watchmen, Tactical Response Team members, and other members of the security organization. These records verify that qualification and requalification have occurred and provide a record of individual performances.

Section 73.46(b)(7) requires that licensees document the qualification and requalification of guards and Tactical Response Team members in night firing. These records verify that qualification and requalification have occurred and provide a record of individual performances.

Section 73.46(b)(8) requires that licensees document the training of Tactical Response Team members in response tactics. These records verify that training has occurred and provide a record of individual performances.

Section 73.46(b)(9) requires that the licensee notify NRC at least 60 days in advance of a scheduled training exercise for the security force which is required to be observed by NRC. The licensee must also document the results of all exercises. The notification requirement allows NRC to arrange for NRC inspectors to observe the exercise. The documentation verifies that the exercise was conducted and provides a record of security force performance.

Section 73.46(d)(3) requires the licensee to maintain written procedures that permit access control personnel to identify those vehicles that are authorized and those materials that are not authorized entry to protected, material access, and vital areas. These procedures are necessary to ensure compliance with access control provisions of the security plan.

Section 73.46(d)(10) requires that the licensee must maintain records of the findings of teams conducting drum scanning and tamper sealing of containers of contaminated waste. These records verify that the scanning was conducted and document the scan readings for later use in review of the waste shipments if needed.

Section 73.46(d)(11) requires that licensee teams must verify and certify the contents of containers of SSNM being prepared for shipment offsite. These records verify the weight, assay, and tamper seal integrity of the containers.

Section 73.46(d)(13) specifies that licensees must require that individuals provided escorted access to protected areas register their name, date, time, purpose of visit and employment affiliation, citizenship, and name of the individual to be visited in a log. The log serves as a record of visitors permitted access, serves as an inspectable document to verify that access control requirements are being followed, and facilitates any subsequent investigation of irregular events.

Section 73.46(g)(5) requires that the licensee maintain corrective action procedures for use in the event of failure or other contingencies affecting the operation of security related equipment or structures. The security organization must be notified before and after service is performed on such equipment. These procedures are needed to ensure that compensatory measures will be employed in the event of failure or inoperability of physical protection related systems.

Section 73.46(g)(6) requires the documentation and reporting to management of the results of an annual independent review and audit of the security program. The records are reviewed by NRC inspectors to ensure that the effectiveness of the security program is evaluated by licensee personnel independent of security management and supervision and that the results of the review are reported to higher management.

Section 73.46(h)(1) requires that licensees maintain a safeguards contingency plan for dealing with threats, thefts, and radiological sabotage related to SSNM and nuclear facilities. This document is used by the licensee to set forth plans for dealing with contingencies as outlined in Appendix C to Part 73. The plan is used by NRC in the licensing approval process to ensure sufficient scope and depth in the contingency planning area and also serves as a compliance benchmark during the inspection process.

Section 73.46(h)(2) requires that licensees establish and document a response agreement with local law enforcement authorities. The agreement is used to verify law enforcement response capabilities and to ensure a clear understanding by both parties of what is expected and what law enforcement assistance will be provided in case of an emergency.

Section 73.46(h)(3) requires that licensees include in the physical protection plans submitted to NRC the basis for the determination of the size and availability of an additional force of guards or armed response personnel. This information permits NRC to assure that the licensee has made appropriate provision for an onsite response force to engage and impede an adversary force until offsite assistance arrives.

Section 73.46(h)(4) requires that licensees inform local law enforcement agencies of any detected threat and request assistance. This notification

requirement is necessary to ensure that law enforcement assistance is obtained to help neutralize any threat to vital areas or material access areas.

Section 73.46(b)(5) requires that licensees instruct all guards and armed response personnel regarding the use of force, including deadly force when necessary for self-defense or defense of others, to prevent or impede acts of radiological sabotage or theft of SSNM.

Section 73.46(i)(1) requires that licensees, by June 12, 1989, submit a revised fixed site physical protection plan to NRC for approval. This requirement is necessary to conform licensee plans to current NRC regulations. The NRC regulations concerning physical protection, security personnel performance, and design basis threat for certain fuel facilities were recently amended to provide greater emphasis on guard weaponry, training, and tactical response exercises, as well as certain physical security measures.

Section 73.50(a)(3) requires that certain licensees who possess, use, or store formula quantities of SSNM must maintain written security procedures that document the structure of the security organization and detail the duties of guards, watchmen, and other individuals responsible for security. These procedures are necessary to ensure that responsibilities and duties are set forth clearly, and that the security organization is adequate to provide protection in accordance with the security plan.

Section 73.50(a)(4) requires that licensees document the qualification and requalification of guards, watchmen, and other members of the security organization. These records verify that qualification and requalification have occurred and provide a record of individual performances

Section 73.50(c)(5) specifies that licensees must require that individuals provided escorted access to protected areas register their name, date, time, purpose of visit and employment affiliation, citizenship, name and badge number of the escort, and name of the individual to be visited in a log. The log serves as a record of visitors permitted access, serves as an inspectable document to verify that access control requirements are being followed, and facilitates any subsequent investigation of irregular events.

Section 73.50(g)(1) requires that licensees maintain a safeguards contingency plan for dealing with threats, thefts, and radiological sabotage related to SSNM and nuclear facilities. This document is used by the licensee to set forth plans for dealing with contingencies as outlined in Appendix C to Part 73. The plan is used by NRC in the licensing approval process to ensure sufficient scope and depth in the contingency planning area and also serves as a compliance benchmark during the inspection process.

Section 73.50(g)(2) requires that licensees establish and document a response agreement with local law enforcement authorities. The agreement is used to verify law enforcement response capabilities and to ensure a clear understanding by both parties of what is expected and what law enforcement assistance will be provided in case of an emergency.

Section 73.50(g)(3) requires that licensees inform local law enforcement agencies of any detected threat and request assistance. This notification requirement is necessary to ensure that law enforcement assistance is obtained to help neutralize any threat to vital areas or material access areas.

Section 73.50(g)(4) requires that licensees instruct all guards and armed response personnel regarding the use of force, including deadly force when necessary for self-defense or defense of others, to prevent or impede acts of radiological sabotage or theft of SSNM.

Section 73.50(h) requires that licensees, by February 20, 1979, submit a training and qualifications plan to NRC for approval setting forth the process and schedule by which guards, watchmen, armed response persons, and other members of the security organization will be selected, trained, equipped, tested, and qualified. This section required preparation of a plan for spent fuel storage facility security forces training and qualification. It serves as a basis for NRC assessments of licensee adequacy in security force training and qualification and serves as an inspection reference in verifying licensee performance.

Section 73.55 requires that by Dec. 2, 1986, licensees must submit proposed amendments to their security plans which show how the amended regulations regarding physical protection against radiological sabotage will be met. The plans were required in order to allow NRC to determine that licensees had made adequate provisions to protect against the design basis threat of radiological sabotage. All such amendments under this section have been previously submitted and no new burden is anticipated.

Section 73.55(b)(1) requires that, if a contract guard force is utilized, the licensee have a written agreement with the contractor that contains provisions showing that the licensee is responsible to NRC for maintaining safeguards in accordance with NRC regulations and the licensee's security plan, that NRC may inspect, copy, and remove copies of required reports and documents, and that the licensee must demonstrate the capability of the security force, including contractor personnel, to perform their assigned duties. This requirement is necessary to assure that the licensee makes the security force contractor aware of its responsibilities.

Section 73.55(b)(3) requires that the licensee have written security procedures which document the structure of the security organization and which detail the duties of guards, watchmen, and other individuals responsible for security. The licensee must also have provisions for written approval of such procedures and any revisions thereto by the individual with overall responsibility for the security function. These procedures are necessary to ensure that a management system is in place, that responsibilities and duties are set forth clearly, and that the security organization is adequate to provide protection in accordance with the security plan.

Section 73.55(b)(4)(i) requires that licensees document the qualification and requalification of guards, watchmen, armed response persons, and other members

of the security organization. These records verify that qualification and requalification have occurred and provide a record of individual performances.

Section 73.55(b)(4)(ii) requires that licensees submit a training and qualifications plan to NRC for approval setting forth the process and schedule by which guards, watchmen, armed response persons, and other members of the security organization will be selected, trained, equipped, tested, and qualified. This section requires preparation of a plan for power reactor security forces training and qualification. It serves as a basis for NRC assessments of licensee adequacy in security force training and qualification and serves as an inspection reference in verifying licensee performance.

Section 73.55(d) requires that by Dec. 2, 1986, each licensee must submit revisions to its security plan which define how the final search requirements of this section will be met. This requirement is necessary to permit NRC to determine that the licensee has made adequate provisions to detect and prevent access of firearms, explosives, and incendiary devices.

Section 73.55(d)(6) specifies that licensees must require that individuals provided escorted access to protected areas register their name, date, time, purpose of visit and employment affiliation, citizenship, and name of the individual to be visited in a log. The log serves as a record of visitors permitted access, serves as an inspectable document to verify that access control requirements are being followed, and facilitates any subsequent investigation of irregular events.

Section 73.55(d)(7) requires the licensee to establish, maintain, and update an access authorization list for each vital area. This requirement is used to limit unescorted access to vital areas during nonemergency conditions to individuals who require access in order to perform their duties.

Section 73.55(g)(1) requires that the licensee maintain corrective action procedures for use in the event of failure or other contingencies affecting the operation of security related equipment or structures. These procedures are needed to ensure that compensatory measures will be employed in the event of failure or inoperability of physical protection related systems.

Section 73.55(g)(4) requires the documentation and reporting to management of the results of an annual independent review and audit of the security program. The records are reviewed by NRC inspectors to ensure that the effectiveness of the security program is evaluated by licensee personnel independent of security management and supervision and that the results of the review are reported to higher management.

Section 73.55(h)(1) requires that licensees execute a safeguards contingency plan for dealing with threats, thefts, and radiological sabotage related to the nuclear facilities. This document is used by the licensee to set forth plans for dealing with contingencies as outlined in Appendix C to Part 73. The plan is used by NRC in the licensing approval process to ensure sufficient scope and depth in the contingency planning area and also serves as a compliance benchmark during the inspection process.

Section 73.55(h)(2) requires that licensees establish and document liason with local law enforcement authorities. The agreement is used to verify law enforcement response capabilities and to ensure a clear understanding by both parties of what is expected and what law enforcement assistance will be provided in case of an emergency.

Section 73.55(h)(4) requires that licensees inform local law enforcement agencies of any detected threat and request assistance. This notification requirement is necessary to ensure that law enforcement assistance is obtained to help neutralize any threat to vital areas or material access areas.

Section 73.55(h)(5) requires that licensees instruct all guards and armed response personnel regarding the use of force, including deadly force when necessary for self-defense or defense of others, to prevent or impede acts of radiological sabotage or theft of SSNM.

Sections 73.57(a) and (b) require that a nuclear power plant licensee fingerprint each individual who is permitted unescorted access to the nuclear power facility or to safeguards information. Section 73.57(d) requires that the licensee submit the fingerprint cards to NRC, which will forward them to the FBI for a criminal history check. Section 73.57(e) requires that, prior to any adverse action, the licensee must make available to the individual the contents of records obtained from the FBI for the purpose of assuring correct and complete information, and must retain a record of receipt by the individual of this notification. Section 73.57(f) requires that the licensee establish and maintain a system of files and procedures to retain and protect criminal history data and other personal information from disclosure.

Section 73.67(c)(1) requires the licensee to submit a security plan or amended security plan describing how the licensee will comply with the physical protection requirements of the regulations. The licensee must also retain the effective security plan as a record. This information is needed to permit the NRC to determine the adequacy and completeness of the licensee's safeguards system and to provide documentation of a satisfactory safeguards system which can be inspected by NRC.

Section 73.67(d)(11) requires licensees to establish and maintain written response procedures for dealing with thefts or threats of thefts of SNM of moderate strategic significance at fixed sites. The licensee must retain a copy of the procedures as a record. The information is used by the licensee to provide instructions to employees for dealing with contingencies and is inspected by NRC to assure that the licensee has developed adequate procedures for dealing with thefts or threats of thefts.

Section 73.67(e)(1) requires that a licensee shipping SNM of moderate strategic significance provide advance notification to the receiver of any planned shipments specifying the mode of transport, estimated time of arrival, location of the nuclear material transfer point, name of the carrier, and transport identification. The licensee must also receive confirmation from the receiver prior to commencement of the shipment that the receiver will be ready to accept the shipment at the planned time and location and acknowledges the specified

mode of transport. This information alerts the intended receiver of an impending shipment. The required notification and confirmation assure that the shipper has preplanned the transportation of the material and that the receiver is ready to accept the material. It also helps assure positive control of the material during transport and helps ensure traceability of any missing material.

Section 73.67(e)(3)(iv) requires that a licensee who arranges for the in-transit physical protection of SNM of moderate strategic significance, or who takes delivery of the material f.o.b. the point at which it is delivered to a carrier for transport, must establish and maintain written response procedures for dealing with thefts or threats of thefts of the material. The licensee must retain a copy of the procedures as a record. The information is used by the licensee to provide instructions to employees for dealing with contingencies and is inspected by NRC to assure that the licensee has developed adequate procedures for dealing with thefts or threats of thefts.

Section 73.67(e)(3)(v) requires that a licensee who arranges for the in-transit physical protection of SNM of moderate strategic significance, or who takes delivery of the material f.o.b. the point at which it is delivered to a carrier for transport, must make arrangements to be notified immediately of the arrival of the shipment at its destination, or of any such shipment that is lost or unaccountedfor after the estimated time of arrival at its destination. This information is used by the licensee to determine that a shipment either arrived safely or is missing. Such notification gives the licensee a basis for initiating a trace investigation in the event a shipment becomes delayed or lost.

Section 73.67(e)(3)(vii) requires that a licensee notify the NRC Operations Center within one hour after the discovery of the loss of the shipment and within one hour after recovery of or accounting for such lost shipment, in accordance with Section 73.71. This notification permits NRC to initiate or terminate a trace investigation if necessary.

Section 73.67(e)(4) requires that a licensee who arranges for the in-transit physical protection of SNM of moderate strategic significance, or who takes delivery of the material f.o.b. the point at which it is delivered to a carrier for transport, must comply with the requirements of 73.67(e)(1), (2), (3), and (4)(i) and (ii) and retain required records for three years. The records are inspected by NRC in order to ensure compliance with the requirements.

Section 73.67(e)(5) requires that a licensee who exports SNM of moderate strategic significance must comply with the requirements of 73.67(c) and (e)(1), (3), and (4) and retain required records for three years. The requirement is similar to that of 73.67(e)(4), above, but the shipper is exporting material. The records are inspected by NRC in order to ensure compliance with the requirements.

Section 73.67(e)(6)(i) requires that a licensee who imports SNM of moderate strategic significance must comply with the requirements of 73.67(c) and (e)(2), (3), and (4) and retain required records for three years. The requirement is similar to that of 73.67(e)(5), above, but the shipper is importing material.

The records are inspected by NRC in order to ensure compliance with the requirements.

Section 73.67(e)(6)(ii) requires that a licensee notify the exporter who delivered the material to a carrier for transport of the arrival of such material. This information is used by the licensee to determine that a shipment either arrived safely or is missing. Such notification gives the licensee a basis for initiating a trace investigation in the event a shipment becomes delayed or lost.

Section 73.67(e)(7)(i) requires that, upon request by NRC, a shipper provide additional information regarding a planned shipment. This information, if requested, is used by NRC to determine whether it is necessary to issue orders to licensees in the event that it appears to NRC that two or more shipments of SNM of moderate strategic significance, constituting in the aggregate an amount equal to or greater than a formula quantity of SSNM, may be enroute at the same time.

Section 73.67(e)(7)(ii) requires that the receiver, or the shipper if the receiver is not a licensee, notify the NRC Regional Office by telephone within 24 hours after the arrival of the shipment at its final destination, or after the shipment has left the United States as an export. This notification permits NRC to confirm the integrity of the shipment at the time of receipt or exit from the United States.

Section 73.67(f)(4) requires that a licensee who possesses or uses SNM of low strategic significance at fixed sites, except nuclear power reactor licensees, must establish and maintain written response procedures for dealing with thefts or threats of thefts of the material. The licensee must retain a copy of the procedures as a record. The information is used by the licensee to provide instructions to employees for dealing with contingencies and is inspected by NRC to assure that the licensee has developed adequate procedures for dealing with thefts or threats of thefts.

Sections 73.67(g)(1) and (2) require that a licensee shipping SNM of low strategic significance provide advance notification to the receiver of any planned shipments specifying the mode of transport, estimated time of arrival, location of the nuclear material transfer point, name of the carrier, and transport identification. The licensee must also receive confirmation from the receiver prior to commencement of the shipment that the receiver will be ready to accept the shipment at the planned time and location and acknowledges the specified mode of transport. The receiving licensee must notify the shipper of the receipt of the material in accordance with Section 70.54. The required notifications and confirmation assure that the shipper has preplanned the transportation of the material and that the receiver is ready to accept the material. It also helps assure positive control of the material during transport and helps ensure traceability of any missing material.

Section 73.67(g)(3)(i) requires that a licensee shipping SNM of low strategic significance must establish and maintain written response procedures for dealing with thefts or threats of thefts of the material. The licensee must retain a

copy of the procedures as a record. The information is used by the licensee to provide instructions to employees for dealing with contingencies and is inspected by NRC to assure that the licensee has developed adequate procedures for dealing with thefts or threats of thefts.

Section 73.67(g)(3)(ii) requires that a shipper of SNM of low strategic significance must make arrangements to be notified immediately of the arrival of the shipment at its destination, or of any such shipment that is lost or unaccountedfor after the estimated time of arrival at its destination. This information is used by the licensee to determine that a shipment either arrived safely or is missing. Such notification gives the licensee a basis for initiating a trace investigation in the event a shipment becomes delayed or lost.

Section 73.67(g)(3)(iii) requires that a licensee notify the NRC Operations Center within one hour after the discovery of the loss of the shipment and within one hour after recovery of or accounting for such lost shipment, in accordance with Section 73.71. This notification permits NRC to initiate or terminate a trace investigation if necessary.

Section 73.67(g)(4) requires that a licensee who exports SNM of low strategic significance must comply with the requirements of 73.67(c) and (g)(1), and (3) and retain required records for three years. The records are inspected by NRC in order to ensure compliance with the requirements.

Section 73.67(g)(5)(i) requires that a licensee who imports SNM of low strategic significance must comply with the requirements of 73.67(c) and (g)(2), and (3) and retain required records for three years. The requirement is similar to that of 73.67(g)(4), above, but the shipper is exporting material. The records are inspected by NRC in order to ensure compliance with the requirements.

Section 73.67(g)(5)(ii) requires that a licensee notify the person who delivered the material to a carrier for transport of the arrival of such material. This information is used by the licensee to determine that a shipment either arrived safely or is missing. Such notification gives the licensee a basis for initiating a trace investigation in the event a shipment becomes delayed or lost.

Section 73.70(a) requires that the licensee keep a record of the names and addresses of all authorized individuals. This information serves as a means of identifying those who have responsibility for surveillance of SNM, and of limiting the number of individuals with such responsibility. It identifies persons who had access in the event an investigation proves necessary and serves as a means of verification for inspection purposes to ensure that designation and access control procedures are being properly conducted.

Section 73.70(b) requires that the licensee keep a record of the names, addressess, and badge numbers of all individuals authorized to have access to vital equipment or SNM, and the vital areas and material access areas to which authorization is granted. This record provides formal access authorization

control. It provides verification that access control requirements are being met and serves to limit the number of individuals with such access.

Section 73.70(c) requires that the licensee keep a register of visitors, vendors, and other individuals not employed by the licensee pursuant to Sections 73.46(d)(1), 73.55(d)(6), or 73.60. The register serves as a record of visitors permitted access, serves as an inspectable document to verify that access control requirements are being followed, and facilitates any subsequent investigation of irregular events.

Section 73.70(d) requires that the licensee keep a log of all individuals granted access to a vital area except those individuals entering or exiting the reactor control room. This record provides a means of determining who had access to vital areas. It is inspected to assess licensee performance in minimizing unnecessary access. It also can provide data to aid an investigation of an irregular event.

Section 73.70(e) requires that the licensee keep documentation of all routine security tours and inspections, and of all tests, inspections, and maintenance performed on physical barriers, intrusion alarms, communications equipment, and other security related equipment. This requirement provides a record of security tours, tests and maintenance and is used to ensure that the frequency of tests and prompt maintanance of failures is verifiable by inspection. It also provides a maintenance history of equipment useful in evaluating operating performance.

Section 73.70(f) requires that the licensee keep a record at each onsite alarm annunciation location of each alarm, false alarm, alarm check, and tamper indication. In addition, details of response by facility guards and watchmen to each alarm, intrusion, or other security incident must be recorded. This record provides verification that alarms are operating properly, that licensees respond properly, and that operational checks are conducted in accordance with the regulations. It also provides a means of evaluating the long term reliability of the alarm system.

Section 73.70(g) requires that the licensee keep a record of shipments of SNM subject to the requirements of Part 73, including names of carriers, major roads to be used, flight numbers for air shipments, dates and expected times of departure and arrival of shipments, verification of communications equipment on board the transfer vehicle, names of individuals who are to communicate with the transport vehicle, container seal descriptions and identification, and other details to confirm compliance with protection requirements. Information obtained during the course of the shipment such as reports of all communications, change of shipping plan, including monitor changes, trace investigations, and others, must also be recorded. These records serve as a part of the material control system by providing a record of bulk invnetory change at any given plant. They also provide an audit trail and experience base for evaluating the transportation process at a later time.

Section 73.70(h) requires that the licensee maintain written procedures for controlling access to protected areas and for controlling access to keys for

locks used to protect SNM. This record serves to aid access control and lock and key control. It also serves as an inspectable record of the licensee's performance in minimizing access and providing adequate control of key and lock operations.

Section 73.71(a)(1) requires that each licensee subject to the provisions of Sections 73.25, 73.26, 73.27(c), 73.37, 73.67(e), or 73.67(g) notify the NRC Operations Center within one hour after the discovery of the loss of any shipment of SNM or spent fuel and within one hour after recovery of or accounting for such lost shipment. This notification permits NRC to initiate or terminate a trace investigation if necessary.

Section 73.71(a)(4) requires that each such licensee follow the initial telephonic notification with a written report to NRC within 30 days. This report permits NRC to analyze and evaluate the event and subsequent recovery efforts.

Section 73.71(a)(5) requires that each such licensee follow the initial telephonic notification and written report with a followup telephonic notification and written report to NRC if any significant supplemental information is discovered or if corrections to previous reports are necessary. Copies of the written reports must be retained as a record for three years.

Section 73.71(b) requires that each licensee subject to the provisions of Sections 73.20, 73.37, 73.50, 73.55, 73.60, or 73.67 notify the NRC Operations Center within one hour after the discovery of the theft or attempted theft or unlawful diversion of SNM. Each licensee subject to the provisions of Sections 73.20, 73.37, 73.50, 73.55, 73.60, or possessing SSNM and subject to 73.67(d) must notify the NRC Operations Center within one hour after the discovery of one of the following: an event involving actual or attempted significant physical damage to a power reactor or any facility possessing SSNM or its equipment or carrier equipment transporting nuclear fuel or spent nuclear fuel, or to the nuclear fuel or spent nuclear fuel a facility or carrier possesses; an event involving actual or attempted interruption of normal operation of a licensed nuclear power reactor through the unauthorized use of or tampering with its machinery, components, or controls including the security system; an actual entry of an unauthorized person into a protected area, material access area, controlled access area, vital area, or transport; or an event involving any failure, degradation, or the discovered vulnerability in a safeguard system that could allow unauthorized or undetected access to one of the above areas for which compensatory measures have not been employed. Each licensee subject to the provisions of Sections 73.20, 73.37, 73.50, 73.55, or 73.60, must notify the NRC Operations Center within one hour after the discovery of an event involving actual or attempted introduction of contraband into one of the above areas. The Commission requires the reports made pursuant to Section 73.71 so that the Commission may be aware of events in order to determine their significance, whether a change in a licensee's safeguards plan is needed, and whether a report to Congress is necessary in accordance with Section 208 of the Energy Reorganization Act of 1974, as amended. The safeguards event reports are also needed for the development of a database whereby generic problems can be

identified and feedback given to licensees for improving their safeguards system.

Section 73.71(c)(1) requires that each licensee subject to the provisions of Sections 73.20, 73.37, 73.50, 73.55, 73.60, or possessing SSNM and subject to 73.67(d) must maintain a current log and record the safeguards events described in paragraphs II(a) and (b) of Appendix G to Part 73 within 24 hours of discovery by a licensee employee or member of the licensee's contract security organization.

Section 73.71(c)(2) requires that each licensee must, every three months, submit to NRC copies of all safeguards event log entries not previously submitted. The copies of the safeguards event logs are required in order for NRC to analyze and evaluate the events.

Section 73.71(d) requires that power reactor licensees must submit the written report using NRC Form 366, "Licensee Event Report." Other licensees must submit the written report in letter format.

It is necessary for both the licensee and the NRC to maintain copies of the reports for the following reasons. The licensee must maintain copies to perform the yearly security audit required by 10 CFR 74.45(g)(6) for fuel facilities and 73.55(g)(4) for power reactors. This audit evaluates the effectiveness of the security system at these facilities. Also, in order to maintain the level of security deemed adequate ty NRC, the licensee must observe and analyze the operational aspects of its security system. This can only be done through the maintanance and analysis of such records as those for security events. The NRC maintains copies of security event records to conduct analyses to determine generic or long-term trends in security. These analyses are used to improve safeguards regulations for these facilities.

Section 73.72 requires that licensees shipping a formula quantity of SSNM, SNM of moderate strategic significance, or irradiated reactor fuel required to be protected pursuant to Section 73.37, must provide advance written notification to NRC at least 10 days prior to shipment, along with shipment details and itinerary, and must notify NRC by telephone of the transmittal of the advance notice and of any changes to the shipment itinerary. This requirement is necessary to allow NRC to review shipment details and schedule appropriate monitoring of the shipment. It also serves as a means to verify shipment details during the inspection process.

Section 73.73 requires that licensees exporting SNM of low strategic significance must provide advance written notification to NRC at least 10 days prior to shipment, along with shipment details and itinerary, and may notify NRC by telephone of any changes to the shipment details or itinerary. This requirement is necessary to allow NRC to review shipment details and schedule appropriate monitoring of the shipment. It also serves as a means to verify shipment details during the inspection process.

Section 73.74 requires that licensees importing SNM of low strategic significance from a country not a party to the Convention on the Physical

Protection of Nuclear Material must provide advance written notification to NRC at least 10 days prior to shipment, along with shipment details and itinerary, and may notify NRC by telephone of any c anges to the shipment details or itinerary. This requirement is necessary to allow NRC to review shipment details and schedule appropriate monitoring of the shipment. It also serves as a means to verify shipment details during the inspection process.

Appendix B sets the minimum criteria for security personnel.

Appendix B Section I.C. requires the licensee to document and maintain for three years a record of the physical qualification of each guard, armed response person, armed escort, and other security force members.

Appendix B Section I.E. requires the licensee to document and maintain a record for three years of the physical requalification of each central alarm station operator, guard, armed response personnel, and armed escort.

Appendix B Section I.F. requires the licensee to document and maintain a record for three years of the results of suitability, physical and mental qualifications data and test results.

Appendix B Section II.A. requires the licensee to maintain documentation of the current training and qualifications plan as a record for three years after possession of the material.

Appendix B Section II.B. requires the licensee to document and maintain a record of the results of qualifications of each individual in a security-related job for three years after the employment ends or three years after possession of the material.

Appendix B Section II.C. requires the licensee to document and maintain a record of the results of qualifications of contract personnel in security-related duties for three years after the employment ends or three years after possession of the material.

Appendix B Section II.E. requires the licensee to document and maintain a record of the results of annual requalification of security personnel in security-related duties for both normal and contingency operations for three years after the requalification.

Appendix B Section IV requires the licensee to document and maintain a record of the results of qualification and annual requalification of security personnel in weapons firing for three years after the qualification or requalification.

The requirements of Appendix B serve as a basis to assure licensee adequacy in security force training and qualification and also serve as an inspection reference in verifying licensee performance.

Appendix C sets the minimum requirements for licensee safeguards contingency plans. Each licensee safeguards contingency plan must contain five categories of information as follows.

1. Background. This category of information must identify and define the perceived dangers and incidents with which the plan will deal and the general way it will handle them.

2. Generic Planning Base. This category of information must define the criteria for initiation and termination of responses to safeguards contingencies together with the specific decisions, actions, and supporting information needed to bring about such responses.

3. Licensee Planning Base. This category of information must include the factors affecting contingency planning that are specific for each facility or means of transportation. To the extent that the topics are treated in adequate detail in the licensee's approved physical security plan, they may be incorporated by cross-reference to that plan.

4. Responsibility Matrix. This category of information consists of detailed identificaiton of the organizational entities responsible for each decision and action associated with specific responses to safeguards contingencies.

5. Procedures. This category of information must detail the actions to be taken and decisions to be made by each member or unit of the organization as planned in the Responsibility Matrix. The procedures entail operating details subject to frequent change. They need not be submitted to NRC for approval, but will be inspected by NRC staff on a periodic basis.

Appendix G provides clarification of the requirements for reporting safeguards events. Safeguards experience is a vehicle for providing licensees with feedback about the effectiveness of safeguards systems. Some safeguards events require immediate response by the NRC. Under Section 73.71, these events are required to be reported within one hour of detection of their occurrence to assure timely response by NRC regional and headquarters staff. Other safeguards events, while of less significance, must be reported in order to determine trends in deficiencies in safeguards systems. NRC has established a program for the collection and analysis of all pertinent safeguards data. This data is immediately entered into the NRC data base and analysis is begun as soon as the data is entered. Upon completion of the analysis, appropriate action and response are initiated. In order to achieve program objectives, a standardized level of detail is required for the evaluation of safeguards events. The results of the analyses are used to improve regulations for these facilities and to give feedback to licensees for improving their safeguards systems.

Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. Applicants and licensees may use electronic information processing systems to prepare and submit required information.

Effort to Identify Duplication

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

Effort to Use Similar Information

There is no similar information available to the NRC.

Effort to Reduce Small Business Burden

Some of the licensees who use special nuclear material are small businesses. Since the consequences to the common defense and security or to the health and safety of the public of inadequate safeguards for special nuclear material 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 reports, records, plans and procedures.

Consequences of Less Frequent Collection

Applications for new licenses and amendments may be submitted at any time. Applications for renewal of materials licenses are submitted every five years. Information submitted in previous applications may be referenced without being resubmitted. Reports are submitted and evaluated as events occur. Less frequent reporting would preclude the NRC from being notified in time to provide rapid response and quick assistance in achieving timely resolution of safeguards events.

Circumstances Which Justify Variation from OMB Guidelines

Contrary to the OMB Guidelines in 5 CFR 1320.6(b), certain sections of Part 73 require that licensees submit reports to the NRC in less than thirty days. Sections 73.26, 73.27, 73.37, 73.67, and 73.71 require immediate notifications to response forces, NRC and local law enforcement authorities, communications between convoys and movement control centers, and immediate notifications of consignees and shippers. These notification requirements are needed to permit response forces, NRC, law enforcement authorities, shippers and consignees to confirm the integrity of shipments or to determine whether there has been a loss or diversion of special nuclear material and to initiate prompt action for recovery of such material.

Contrary to the OMB Guidelines in 5 CFR 1320.6(f), certain sections of Part 73 require that licensees retain records for more than three years. These requirements are necessary to ensure that procedures for handling and safeguarding

nuclear 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.

Consultations Outside the Agency

There have been no consultations outside the agency since the previous clearance of these requirements.

Confidentiality of Information

None, except for proprietary or safeguards information.

Sensitive Questions

None.

Estimate of Compliance Burden

Reporting Requirements

Section	No. of Licensee Responses Annually	Licensee Staff Hours Per Submittal	Total Annual Burden
73.5	1	8	8
73.20(c)(1)	One-time-only requirement, which has been completed		
73.26(b)(3)	8	5	40
73.26(b)(4)	8	1	8
73.26(i)(6) and (k)(4)	1	1	1
73.27(a)(1)	8	0.1	0.8
73.27(a)(2)	8	0.5	4
73.27(a)(3)	8	0.5	4
73.27(b)	8	0.5	4
73.27(c)	Included in 73.71(a)(4)		
73.37(a)	0	0.1	0 *
73.37(b)(1)	Included in 73.72		
73.37(b)(11)	40	0.3	12
73.37(f)	42	8	336
73.46(b)(9)	12	1	12
73.46(h)(4)	0	0.1	0 *
73.46(h)(5)	One-time-only requirement, which has been completed		
73.46(i)(1)	One-time-only requirement, which has been completed		
73.50(g)(3)	0	0.1	0 *
73.50(g)(4)	One-time-only requirement, which has been completed		
73.50(h)	One-time-only requirement, which has been completed		
73.55	One-time-only requirement, which has been completed		

* Emergency notification. Has never been used.

Reporting Requirements (cont'd)

Section	No. of Licensee Responses Annually	Licensee Staff Hours Per Submittal	Total Annual Burden
73.55(b)(4)(ii)	77	16	1,232
73.55(d)	One-time-only requirement, which has been completed		
73.55(h)(4)	77	0.25	19
73.55(h)(5)	6,930	1	6,930
73.57(a)-(e)	20,000	0.33	6,600
73.67(c)(1)	One-time-only requirement, which has been completed		
73.67(e)(1)	370	2	740
73.67(e)(3)(v)	370	0.5	185
73.67(e)(3)(vii)	Included in 73.71(a)		
73.67(e)(6)(ii)	0	0.5	0
73.67(e)(7)(i)	0	2	0
73.67(e)(7)(ii)	22	10	220
73.67(g)(1),(2)	70	4	280
73.67(g)(3),(ii)	70	1	70
73.67(g)(3)(iii)	Included in 73.71(a)		
73.67(g)(5),(ii)	35	1	35
73.71(a)(1)	6	1.5	9
73.71(a)(4)	6	40	240
73.71(a)(5)	0	10	0
73.71(b)	114	40	4,560
73.71(c)(2)	504	1	504
73.71(d)	1,164	1	1,164

Reporting Requirements (cont'd)

Section	No. of Licensee Responses Annually	Licensee Staff Hours Per Submittal	Total Annual Burden
73.72	30	0.2	6
73.73	90	8	720
73.74	28	8	224
Appendix B	Included in previous sections		
Appendix C	Included in previous sections		
Appendix G	Included in previous sections		
Total:	30,107		24,167.8

Recordkeeping Requirements

	No. of Records Annually	Hours/Record	Total Burden	Record Retention Period (years)*
73.24(b)(1)	270	0.2	54	3
73.25(b),(c),(d)	- Included in 73.26			P+3
73.26(c)	0	8	0	P+3
73.26(d)(3)	8	1.5	12	P+3
73.26(d)(4)	0	40	0	E,Q,R+3
73.26(e)(1)	0	100	0	P+3
73.26(h)(6)	8	5	40	5
73.26(i)(1)	8	18	144	S
73.37(b)(2)	40	0.3	12	P+3
73.37(b)(3)	40	0.2	8	P+3
73.37(b)(5)	40	0.2	8	S+3
73.40(b)	One-time-only requirement, which has been completed			L
73.40(c)(2)	77	1	77	L
73.40(d)	8	100	800	3
73.45	5	100	500	P
73.46(b)(1)	One-time-only requirement, which has been completed			L
73.46(b)(3)	12	160	1,920	L
73.46(b)(4),(7),(8)	12	16	192	Q/R+3
73.46(b)(9)	12	1	12	3

* P = Duration of Possession of Material
L = Duration of License
E = Duration of Employment
S = Duration of Shipment
C = Duration of Contract
Q = Qualification
R = Requalification

Recordkeeping Requirements (cont'd)

	No. of Records Annually	Hours/Record	Total Burden	Record Retention Period (years)*
73.46(d)(3)	Included in 73.45			L
73.46(d)(10)	1,500	0.5	750	3
73.46(d)(11)	1,000	0.5	500	3
73.46(d)(13)	6,000	0.1	600	3
73.46(g)(5)	Included in 73.45			P
73.46(g)(6)	12	8	96	5
73.46(h)(1)	90	10	900	L
73.46(h)(2)	12	0.5	6	L
73.46(h)(3)	Included in 73.45			L
73.50(a)(3)	2	100	200	L
73.50(a)(4)	4	16	64	Q/R+3
73.50(c)(5)	400	0.2	80	3
73.50(g)(1)	2	100	200	L
73.50(g)(2)	4	0.5	2	L
73.55(b)(1)	77	10	770	C
73.55(b)(3)	77	1	77	L/3
73.55(b)(4)(i)	6,930	0.5	3,465	Q/R+3
73.55(b)(4)(ii)	77	1	77	L
73.55(d)(6)	28,105	2	56,210	3
73.55(d)(7)	924	4	3,696	L
73.55(g)(1)	27,104	4	108,416	P

* P = Duration of Possession of Material
L = Duration of License
E = Duration of Employment
S = Duration of Shipment
C = Duration of Contract
Q = Qualification
R = Requalification

Recordkeeping Requirements (cont'd)

	No. of Records Annually	Hours/Record	Total Burden	Record Retention Period (years)*
73.55(g)(4)	77	8	616	5
73.55(h)(1)	77	10	770	L
73.55(h)(2)	77	1	770	L
73.57(e),(f)	8,700	0.25	2,175	1
73.67(c)(1)	40	4	160	P+3
73.67(d)(11)	40	4	160	L
73.67(e)(3)(iv)	50	1	50	P+3
73.67(e)(4)	296	1.5	444	P+3
73.67(e)(5)	185	2	370	P+3
73.67(e)(6)(i)	70	4	280	P+3
73.67(f)(4)	70	2	140	P+3
73.67(g)(3)(i)	70	2	140	P+3
73.67(g)(4)	56	1.5	84	P+3
73.67(g)(5)(i)	35	1	35	P+3
73.70(a)	280	0.5	140	P+3
73.70(b)	400	0.5	200	P+3
73.70(c)	1,500	0.2	300	3
73.70(d)	56,700	0.03	1,701	3
73.70(e)	2,520	0.5	1,260	3
73.70(f)	766,500	0.02	15,330	3

* P = Duration of Possession of Material
L = Duration of License
E = Duration of Employment
S = Duration of Shipment
C = Duration of Contract
Q = Qualification
R = Requalification

Recordkeeping Requirements (cont'd)

	No. of Records Annually	Hours/Record	Total Burden	Record Retention Period (years)*
73.70(g)	40	2	80	3
73.70(h)	84	24	2,016	L
73.71(c)(1)	480	0.5	240	3
Appendix B	Included in above requirements			3/L

Number of Recordkeepers: 8,700

Total Recordkeeping Burden: 207,349

TOTAL ANNUAL BURDEN HOURS FOR PART 73: 231,516.8

Estimated Cost to Respond to the Collection

The estimated annual cost to licensees to respond to the collection requirements is $21,994,115 (231,517 hrs X $95/hr).

Reason for Change in Burden

The number of operating nuclear power reactors making reports and keeping records has increased since the last clearance.

Estimated Cost to the Government

The estimated cost to the government for review of required reports and records is approximately $380,000 (4,000 hours at $95/hr).

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