

REQUEST FOR OMB REVIEW

(Under the Paperwork Reduction Act and Executive Order 12291)

Important — Read instructions (SF-83A) before completing this form. Submit the required number of copies of SF-83, together with the material for which review is requested to:

Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

1. Department/Agency and Bureau/Office originating request

U.S. Nuclear Regulatory Commission

3. Name(s) and telephone number(s) of person(s) who can best answer questions regarding request
Brenda Shelton 492-8137

2. 6-digit Agency/Bureau number (first part of 11-digit Treasury Account No.)

3 1 5 0

4. 3-digit functional code (last part of 11-digit Treasury Account No.)

2 7 6

5. Title of Information Collection or Rulemaking

10 CFR 150

C. Is this a rulemaking submission under Section 3504(h) of P.L. 96-511? (Check one)

1 ☒ No (Section 3507 submission)

2 ☐ Yes, NPRM. Expected date of publication: _____

3 ☐ Yes, final rule. Expected date of publication: _____

Effective date: _____

6. A. Is any information collection (reporting or recordkeeping) involved? (Check one)

1 ☒ Yes and proposal is attached for review

2 ☐ Yes but proposal is not attached — skip to question D

3 ☐ No — skip to question D

D. At what phase of rulemaking is this submission made? (Check one)

1 ☒ Not applicable

2 ☐ Major rule, at NPRM stage

3 ☐ Major Final rule for which no NPRM was published

4 ☐ Major Final rule, after publication of NPRM

5 ☐ Nonmajor rule, at NPRM stage

6 ☐ Nonmajor rule, at Final stage

B. Are the respondents primarily educational agencies or institutions or is the purpose related to Federal education programs?

☐ Yes ☒ No

COMPLETE SHADED PORTION IF INFORMATION COLLECTION PROPOSAL IS ATTACHED

7. Current (or former) OMB Number

3150-0032

8. Requested Expiration Date

Expiration Date

June 30, 1982

12. Agency report form number(s)

N/A

13. Are respondents only Federal agencies?

☐ Yes ☒ No

9. Is proposed information collection listed in the information collection budget?

☒ Yes ☐ No

10. Will this proposed information collection cause the agency to exceed its information collection budget allowance? (If yes, attach amendment request from agency head)

☐ Yes ☒ No

14. Type of request (Check one)

1 ☐ preliminary plan

2 ☐ new (not previously approved or expired more than 6 months ago)

3 ☐ revision

4 ☒ extension (adjustment to burden only)

5 ☐ extension (no change)

6 ☐ reinstatement (expired within 6 months)

11. Number of report forms submitted for approval

None

15.

a. Approximate size of universe (if sample)

N/A

b. Size of sample

N/A

c. Estimated number of respondents or record keepers per year

83

d. Reports annually by each respondent (item 25)

1

e. Total annual responses (item 15c x 15d)

83

f. Estimated average number of hours per response

2.3

g. Estimated total hours of annual burden in Fiscal Year (item 15e x 15f)

190

16. Classification of Change in Burden (explain in supporting statement)

a. In inventory

b. As proposed

c. Difference (b-a)

Explanation of difference (indicate as many as apply)

Adjustments

d. Correction-error

e. Correction-reestimate

f. Change in use

Program changes

g. Increase

h. Decrease

No. of Responses No. of Reporting Hours Cost to the Public

2,950

13,090

\$

83

190

\$

2,867

12,900

\$

+ -2,867

+ -12,900

+ \$

+ +

+ +

+ \$

+ +

+ +

+ \$

+ +

+ +

+ \$

- -

- -

- \$

17. Abstract—Needs and Uses (50 words or less)

10 CFR 150 provides exemptions to persons in Agreement States and also defines activities in Agreement States over which NRC regulatory authority exists.

18. Related report form(s) (give OMB number(s), IRCN(s), internal agency report form number(s) or symbol(s))

DOE/NRC Form 741 (3150-0003)

NRC Form 241 (3150-0013) 10 CFR 40 (3150-0020)

19. Type of affected public (Check as many as apply)

1 ☐ individuals or households

2 ☐ state or local governments

3 ☐ farms

4 ☒ businesses or other institutions (except farms)

20. Catalog of Federal Domestic Assistance Program Number
N/A

21. Small business or organization ☐ Yes ☒ No

22. Type of activity of affected public—indicate 3-digit Standard Industrial Classification (SIC) code(s) (up to 10) — if over 10, check ☐ Multiple or ☐ All

N/A

23. Brief description of affected public (e.g., "retail grocery stores," "State education agencies," "households in 50 largest SMSAs")

NRC Agreement State licensees.

24. Purpose (Check as many as apply. If more than one, indicate predominant by an asterisk)

1 ☐ application for benefits

2 ☐ program evaluation

3 ☐ general purpose statistics

4 ☒ regulatory or compliance

5 ☐ program planning or management

6 ☐ research

26. Collection method (Check as many as apply)

1 ☒ mail self-administered

2 ☐ other self-administered

3 ☐ telephone interview

4 ☐ personal interview

5 ☐ recordkeeping requirement

Required retention period: _____ years

6 ☐ other—describe:

25. Frequency of Use

1 ☐ Nonrecurring

Recurring (check as many as apply)

2 ☒ on occasion 6 ☐ semiannually

3 ☐ weekly 7 ☐ annually

4 ☐ monthly 8 ☐ biennially

5 ☐ quarterly 9 ☐ other—describe:

27. Collection agent (Check one)

1 ☒ requesting Department/Agency

2 ☐ other Federal Department/Agency

3 ☐ private contractor

4 ☐ recordkeeping requirement

5 ☐ other—describe:

28. Authority for agency for information collection or rulemaking—indicate statute, regulation, judicial decree, etc.

AE Act of 1954

ER Act of 1974

30. Do you promise confidentiality?

(If yes, explain basis for pledge in supporting statement.)

☐ Yes ☒ No

29. Respondent's obligation to reply (Check as many as apply)

1 ☐ voluntary

2 ☒ required to obtain or retain benefit

3 ☒ mandatory—cite statute, not CFR (attach copy of statutory authority)

31. Will the proposed information collection create a new or become part of an existing Privacy Act system of records? (If yes, attach Federal Register notice or proposed draft of notice.) ☐ Yes ☒ No

32. Cost to Federal Government of information collection or rulemaking \$ 7,344

COMPLETE ITEMS 33 THRU 35 ONLY IF RULEMAKING SUBMISSION

33. Compliance costs to the public

\$ _____

34. Is there a regulatory impact analysis attached?

☐ Yes ☐ No

35. Is there a statutory or judicial deadline affecting issuance?

☐ Yes. Enter date _____
☐ No

CERTIFICATION BY AUTHORIZED OFFICIALS SUBMITTING REQUEST—We certify that the information collection or rulemaking submitted for review is necessary for the proper performance of the agency's functions, that the proposal represents the minimum public burden and Federal cost consistent with need, and is consistent with applicable OMB and agency policy directives. Signature and title of

APPROVING AGENCY OFFICIAL FOR AGENCY

DATE

SUBMITTING OFFICIAL

DATE

Patricia G. Norry

8-23-82

R. Stephen Scott

8-24-82

SUPPORTING STATEMENT
FOR
10 CFR PART 150

A.1. Justification

NRC Regulations in 10 CFR Part 150 provide certain exemptions to persons in Agreement States from the licensing requirements contained in Chapters 6, 7, and 8 of the Atomic Energy Act of 1954, as amended, and certain regulations of the Commission. The regulations in Part 150 also define activities in Agreement States over which the regulatory authority of the Commission continues. Information concerning the application, recordkeeping, and reporting requirements imposed by specific sections is provided below.

Section 150.16(a)

- (i) Section 150.16(a) requires each person who transfers or receives special nuclear material pursuant to an Agreement State license to complete and distribute DOE/NRC Form 741, "Nuclear Material Transaction Report," whenever he transfers or receives a quantity of special nuclear material of 1 gram or more of contained uranium-235, uranium-233, or plutonium. This report is required in order for the United States to fulfill its responsibilities under the US/IAEA Safeguards Agreement. Accounting reports for each IAEA material balance area must include inventory change reports showing all changes in the inventory of nuclear material.

The use of DOE/NRC Form 741, and its continuation page, Form 741A, has been previously approved by OMB under clearance number 3150-0003, which should be referred to for information collection burden and supporting data.

Section 150.16(b)

- (i) Section 150.16(b) requires that each person who, pursuant to an Agreement State license, possesses 1 gram or more of contained uranium-235, uranium-233, or plutonium shall report immediately to the appropriate NRC Regional Office any incident in which any theft or unlawful diversion of special nuclear material which he is licensed to possess has been made or is believed to have been made.
- (ii) The information submitted by licensees under this requirement is evaluated and maintained by NRC in order that the Commission may carry out its responsibility under the Atomic Energy Act of 1954, as amended, to regulate the possession and use of special nuclear material, source material, and byproduct material as necessary to promote the common defense and security, protect health, and minimize danger to life or property.
- (iii) There is no source for the required information other than licensees.

- (iv) NRC is the only Federal agency that requires the submission of information concerning the receipt, possession, use, transfer, delivery or receipt of title to source and byproduct material. The information required under Part 40 does not duplicate any other Federal information collection requirement.
- (v) N/A
- (vi) N/A

Section 150.17(a)

- (i) Section 150.17(a) requires each person who, pursuant to an Agreement State license, transfers or receives at any one time 1,000 kilograms or more of uranium or thorium, or any combination thereof, to complete and distribute DOE/NRC Form 741, "Nuclear Material Transaction Report." This report is required in order for the United States to fulfill its responsibilities under the US/IAEA Safeguards Agreement. Accounting reports for each IAEA material balance area must include inventory change reports showing all changes in the inventory of nuclear material.

The use of DOE/NRC Form 741, and its continuation page, Form 741A, has been previously approved by OMB under clearance number 3150-0003, which should be referred to for information collection burden and supporting statement.

Section 150.17(b)

- (i) Section 150.17(b) requires each licensee who is authorized to possess at any one time and location more than 1,000 kilograms of uranium or thorium, or any combination thereof, to submit to NRC within 30 days of September 30 each year a statement of the licensee's source material inventory.
- (ii) The information contained in the statement is placed in and maintained by the Nuclear Materials Management and Safeguards System (NMMSS), pursuant to the Commission's responsibility under Section 161 of the Atomic Energy Act of 1954, as amended, to establish such standards and instructions to govern the possession and use of special nuclear material, source material, and byproduct material, as it deems necessary or desirable to promote the common defense and security.
- (iii) There is no source for the required information other than licensees.
- (iv) NRC is the only Federal agency that requires the submission of information concerning the receipt, possession, use, transfer, delivery, or receipt of title to source and byproduct material. The information required under Part 40 does not duplicate any other Federal information collection requirement.

- (v) The report will take about two hours to prepare, but only one report per licensee is required per year. To decrease the time by requiring less information would result in the deletion of essential information.
- (vi) N/A

Section 150.17(c)

- (i) Section 150.17(c) requires that each licensee who is authorized to possess uranium or thorium pursuant to a specific license shall report promptly to the appropriate NRC Regional Office any incident in which an attempt has been made or is believed to have been made to commit a theft or unlawful diversion of more than 15 pounds of such material at any one time or 150 pounds of such material in any one calendar year.
- (ii) The information submitted by licensees under this requirement is evaluated and maintained by NRC in order that the Commission may carry out its responsibility under the Atomic Energy Act of 1954, as amended, to regulate the possession and use of special nuclear material, source material, and byproduct material as necessary to promote the common defense and security, protect health, and minimize danger to life or property.
- (iii) There is no source for the required information other than licensees.
- (iv) NRC is the only Federal agency that requires the submission of information concerning the receipt, possession, use, transfer, delivery, or receipt of title to source and byproduct material. The information required under Part 40 does not duplicate any other Federal information collection requirement.
- (v) N/A
- (vi) N/A

Section 150.17a

- (i) The United States, as a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), has joined with other nations in an effort to limit the spread of nuclear weapons. To encourage widespread adherence to the NPT by non-nuclear-weapon States, which would be committed to accept the application of safeguards administered by the International Atomic Energy Agency (IAEA), President Johnson in 1967 announced that the United States would permit IAEA to apply its safeguards to nuclear activities in this country - excluding only those with direct national security significance. This policy has been reaffirmed by each succeeding President and has been referred to by other governments as a consideration affecting their decision to ratify the NPT.

The instrument for applying IAEA safeguards in the United States is a formal Agreement. The US/IAEA Agreement contains provisions which parallel agreements between IAEA and non-nuclear-weapon States, the principal difference being the exclusion of national security activities. Implementation of the Agreement requires the cooperation of NRC and Agreement States licensees, in accordance with 10 CFR Part 75 and amendments to 10 CFR Parts 40, 50, 70, 150, and 170.

Section 150.17a requires that each person who, pursuant to an Agreement State license, is authorized to possess source material in amounts greater than one effective kilogram (except in ore processing) is subject to the provisions of part 75 of the Commission's regulations. Part 75 requires, among other things, that the applicant file with the Commission: the identification of the installation; a description of the general design of the installation in reference to flow of nuclear material; a description of features of the installation relating to material accounting, containment and surveillance; and a description of the existing and proposed procedures of the installation for nuclear material accounting and control. This information must be filed at least nine months prior to the date the applicant desires to receive the source material (or earlier upon request by the Commission). The Commission will grant an exemption from these requirements if it determines that the installation will not be included on the United States eligible list.

- (ii) The NRC staff will review the information submitted by applicants to determine if it is complete and meets the requirements set out in 10 CFR Part 75, Section 75.11.
- (iii) There is no source for the required information other than applicants.
- (iv) This report does not duplicate any other Federal information collection requirements.
- (v) Activities covered by this section, are generally large and complex. NRC's responsibilities under the US/IAEA Agreement require the submission of comprehensive and detailed information which may reasonably be expected to take more than thirty minutes of the applicant's time to prepare.
- (vi) N/A

Section 150.19(b)

- (i) Section 150.19(b) requires each person who, pursuant to an Agreement State license, is authorized to possess at any one time and location more than 10,000 curies of tritium to submit to the NRC within 30 days after March 31 and September 30 of each year a statement of his tritium inventory to the nearest hundredths of a gram calculated at 10,000 curies per gram.

- (ii) The information contained in the report is placed in and maintained by the Nuclear Materials Management and Safeguards System (NMMSS), pursuant to the Commission's responsibility under Section 161 of the Atomic Energy Act of 1954, as amended, to establish such standards and instructions to govern the possession and use of special nuclear material, source material, and byproduct material as necessary to promote the common defense and security, protect health, and minimize danger to life or property.
- (iii) There is no source for the required information other than licensees.
- (iv) NRC is the only Federal agency that requires the submission of information concerning the receipt, possession, use, transfer, delivery or receipt of title to source and byproduct material. The information required does not duplicate any other Federal information collection requirement.
- (v) The response will take about two hours to prepare, but only one report per licensee is required per year. To decrease the time by requiring less information would result in the deletion of essential information.
- (vi) N/A

Section 150.19(c)

- (i) Section 150.19(c) requires that each person who, pursuant to an Agreement State license, is authorized to possess tritium shall report promptly to the appropriate NRC Regional Office any incident in which any attempt has been made or is believed to have been made to commit a theft or unlawful diversion of more than 10 curies of such material at any one time or 100 curies of such material in any one calendar year.
- (ii) The information submitted by licensees under this requirement is evaluated and maintained by NRC in order that the Commission may carry out its responsibility under the Atomic Energy Act of 1954, as amended, to regulate the possession and use of special nuclear material, source material, and byproduct material as necessary to promote the common defense and security, protect health, and minimize danger to life or property.
- (iii) There is no source for the required information other than licensees.
- (iv) NRC is the only Federal agency that requires the submission of information concerning the receipt, possession, use, transfer, delivery or receipt of title to source and byproduct material. The information required under Part 150 does not duplicate any other Federal information collection requirement.
- (v) N/A
- (vi) N/A

Section 150.20(b)(1)

- (i) Section 150.20(b)(1) requires that any Agreement State licensee engaging in activities in non-Agreement States under the general license established in Section 150.20(a) shall, at least 3 days prior to engaging in 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 appropriate NRC Regional Office.

The use of NRC Form 241 (revised) has been previously approved by OMB under clearance number 3150-0013, which should be referred to for information collection and supporting data.

Section 150.31(b)(1)

- (i) Section 150.31(b)(1) requires that, in the licensing and regulation of byproduct material, or of any activity which results in the production of such byproduct material, Agreement States shall require compliance with the provisions of Appendix A of 10 CFR Part 40 pertaining to ownership of such byproduct material and disposal sites for such material.

Information collection burden and supporting data for Section 150.31(b)(1) are attributable to Appendix A of 10 CFR Part 40, which has been submitted to OMB for approval under clearance number 3150-0020. The section concerning Appendix A in that submittal should be referred to for information collection supporting data for Section 150.31(b)(1).

2. Description of Information Collection

The information collection requirements of Part 150 do not involve surveys. Reports are required as occasioned by the occurrence of specified events, such as the receipt or transfer of licensed radioactive material, or actual or attempted theft of licensed material.

3. Time Schedule for Information Collection and Publication

Required reports are collected and evaluated on a continuing basis as events occur. The information submitted is not compiled and published. However, with the exception of certain safeguards or proprietary information, it is generally available to the public for inspection and copying.

4. Consultations Outside the Agency

There have been no consultations outside the agency since the previous clearance of these information collection requirements or the establishing rulemaking proceeding, as applicable.

5. Estimate of Compliance Burden

<u>Section</u>	<u>No. of Licensee Responses Annually</u>	<u>Staff Hours Per Submittal</u>	<u>Total Annual Licensee Burden (Hrs)</u>
150.16(a)	- See OMB Clearance No. 3150-0003		
150.16(b)	1	10	10
150.17(a)	- See OMB Clearance No. 3150-0003		
150.17(b)	60	2	120
150.17(c)	1	10	10
150.17a	Although Agreement State licensees are eligible and on the IAEA selection list, none have been selected and there are no plans by IAEA to select any at this time. This is an IAEA option.		
150.19(b)	20	2	40
150.19(c)	1	10	10
150.20(b)(1)	- See OMB Clearance No. 3150-0013		
150.31(b)(1)	- See OMB Clearance No. 3150-0020		
TOTAL	<u>83</u>		<u>190</u>

These estimates are based on the staff's experience with the program to date.

6. Sensitive questions

None

7 Estimate of Cost to Federal Government

<u>Section</u>	<u>Cost to Govt</u>
150.16(a)	- See OMB Clearance No. 3150-0003
150.16(b)	\$1,440
150.17(a)	- See OMB Clearance No. 3150-0003
150.17(b)	\$108
150.17(c)	\$1,440
150.17a	\$2,880
150.19(b)	\$36
150.19(c)	\$1,440
150.20(b)(1)	- See OMB Clearance No. 3150-0013
150.31(b)(1)	- See OMB Clearance No. 3150-0020
TOTAL	<u>\$7,344</u>

The basis for this estimate is the staff's approximate of the budget figures involved in staff's review of the information collection.

NUCLEAR REGULATORY COMMISSION

Documents containing reporting or
recordkeeping requirements; OMB review

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of OMB review of information collection.

SUMMARY: The Nuclear Regulatory Commission has recently submitted to the Office of Management and Budget (OMB) for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

1. Type of submission, new, revision or extension: Extension
2. The title of the information collection:
Exemptions and Continued Regulatory Authority in Agreement States Under Section 274 of the Atomic Energy Act, 10 CFR 150.
3. The form number if applicable: N/A
4. How often the collection is required: On occasion
5. Who will be required or asked to report: NRC licensees.
6. An estimate of the number of responses: 83
7. An estimate of the total number of hours needed to complete the requirement or request: 190
8. An indication of whether Section 3504 (h), Pub. L. 96-511 applies: N/A
9. Abstract:
10 CFR 150 provides exemptions to persons in Agreement States and also defines activities in Agreement States over which NRC regulatory authority exists.

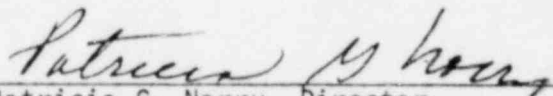
Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 1717 H Street N.W., Washington, D.C. 20555.

Comments and questions should be directed to the OMB reviewer Gwendolyn W. Pla, (202) 395-6880.

NRC Clearance Officer is R. Stephen Scott, (301) 492-8585.

Dated at Bethesda, Maryland this day of 1982.

For the Nuclear Regulatory Commission


Patricia G. Norry, Director
Office of Administration