

PDR

Request for OMB Review

Smith

Important

Read instructions before completing form. Do not use the same SF 83 to request both an Executive Order 12291 review and approval under the Paperwork Reduction Act.

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

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.

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

2. Agency code

U. S. Nuclear Regulatory Commission

3 1 5 0

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

Telephone number

Anne Garcia

(301) 504-2438

4. Title of information collection or rulemaking

10 CFR Part 60 - Disposal of High-Level Radioactive Wastes in Geologic Repositories

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

42 USC 2201(o)

6. Affected public (check all that apply):

Individuals or households

Farms

Federal agencies or employees

Non-profit institutions

State or local governments

Businesses or other for-profit

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

12. (OMB use only)

140085

DF02
1/0

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.

"Nuclear Waste Management, Nuclear Waste Disposal"

10 CFR Part 60 requires States and Indian Tribes to submit certain information to NRC if they request consultation with NRC staff concerning review of a potential repository site or wish to participate in a license review for a potential repository. Representatives of States or Indian Tribes must submit a statement of their authority to act.

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

Information collection not contained in rules:

Regular collection

Emergency collection (see category attached)

Information collections contained in rules:

Existing regulation (no change proposed)

New regulation (no change proposed)

Anticipated (expected or actual Federal Register publication at this stage of rulemaking)

New rule (proposed rulemaking (RFR))

Regular collection

Month/day/year: _____

Existing RFR was previously published

New rule (submitted with the collection attached)

15. Type of rule(s) requested (check any one):

New collection

Revision of a currently approved collection

Extension of the expiration date of a currently approved collection with or without change in the substance or in the method of collection

Re-statement of a previously approved collection for which authority has expired

Existing collection in use without an OMB control number

16. Agency report form numbers (include standard, optional forms, transfers)

Not applicable

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

Application for benefits

Program evaluation

General purpose statistics

Regulatory or compliance

Program planning or management

Research

Audit

17. Annual reporting or workload burden:

| | |
|---|------|
| 1. Number of respondents | 2 |
| 2. Number of responses per respondent | 4 |
| 3. Total annual responses (line 1 times line 2) | 8 |
| 4. Hours per response | 30.5 |
| 5. Total hours (line 3 times line 4) | 244 |

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

Recordkeeping

Reporting

On occasion

Weekly

Monthly

Quarterly

Semi-annually

Annually

Biennially

Other (describe) One-time

18. Annual recordkeeping burden:

| | |
|--|-------|
| 1. Number of recordkeepers | |
| 2. Average hours per recordkeeper | |
| 3. Total recordkeeping hours (line 1 times line 2) | |
| 4. Recordkeeping retention period | years |

19. Time annual burden:

| | |
|---|-----|
| 1. Requested (line 17-5 plus line 18-3) | 244 |
| 2. Existing OMB inventory | 244 |
| 3. Difference (line 1 less line 2) | 0 |
| Explanation of difference | |
| 4. Program change | |
| 5. Agreement | |

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

3150-0127

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

Voluntary

Required to obtain or retain a benefit

Mandatory

21. Requested expiration date

3 years from approval date

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 of respondents? Yes No

27. Regulatory authority for the information collection

10 CFR 60.62, 60.63, 60.65 or _____ 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, senior official or authorized representative:

Date

Gerald F. Cranford, Designated Senior Official for Information Resources Management

2/8/94

SUPPORTING STATEMENT
FOR
10 CFR PART 60
DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGIC REPOSITORIES
(3150-0127)

EXTENSION REQUEST

Description of the Information Collection

Part 60 requires States and Indian Tribes to submit certain information to the NRC if they (1) request consultation with the NRC staff regarding review of a potential repository site (60.62), or (2) wish to participate in a license review for a potential repository (60.63). Any person representing a State or Indian Tribe must also submit a statement of the basis of his or her authority to act in such representative capacity (60.65).

A. Justification

Need for the Collection of Information

The Nuclear Waste Policy Act of 1982 (NWPA) and 10 CFR Part 60 contain detailed provisions for the participation of States and Indian Tribes in the process of siting and developing a high-level radioactive waste geologic repository. The NRC must follow many formal procedures and detailed schedules in meeting its responsibilities under the NWPA and 10 CFR Part 60. 10 CFR Part 60 does not require States and Indian Tribes to submit any proposals. This is strictly voluntary on their part, and only if they desire to do so would the information in question be required of them. The Director of the Office of Nuclear Materials Safety and Safeguards must have complete information on State and Indian Tribal Plans for participation in order to accommodate State and Tribal desires for participation while at the same time following mandated procedures and schedules. In addition, where State and Tribal proposals for participation involve requests for funding, the justification for such requests must be documented in order to assure productive uses of NRC funds.

Section 60.62 states that the Director shall make NRC staff available to consult with representatives of States and affected Tribes regarding site review for an area approved by the President for site characterization. Section 60.62 also states that requests for consultation shall be made in writing to the Director. Only if States and Tribes wish to obtain these services would they be required to submit any supporting information.

Making NRC staff available for consultation with representatives of States and affected Indian Tribes represents potentially a major commitment of NRC resources. The Director must have a firm basis for approving this commitment of resources. A written request for consultation is the minimum requirement which could provide a firm basis for the commitment of NRC resources.

Section 60.63 states that whenever an area has been approved by the President for site characterization, a State or affected Indian Tribe may submit to the Director a proposal to facilitate its participation in the review of a site characterization plan and/or license application.

The proposal shall contain a description and schedule of how the State or affected Indian Tribe wishes to participate in the review, of what services or activities the State or affected Indian Tribe wishes NRC to carry out, and how the services or activities proposed to be carried out by NRC would contribute to such participation.

Section 60.65 states that any person who acts under this subpart (Subpart C) as a representative for a State (or for the Governor or legislature thereof) or for an affected Indian Tribe shall include in his request or other submission, or at the request of the Commission, a statement of the basis of his authority to act in such representative capacity.

Such a statement is necessary to assure NRC of the status of representatives. NRC must provide States and Indian Tribes numerous opportunities for participation in the site review and licensing procedures. It is a common practice for States and Indian Tribes to be represented by legal counsel in dealing with Federal agencies. NRC must be assured of the authority of persons it deals with to represent States or Indian Tribes to avoid potential duplication and/or failure to transmit information to appropriate parties.

Agency Use of Information

The information requested will be reported to the Director of the Office of Nuclear Material Safety and Safeguards, who has programmatic responsibility for NRC's high-level radioactive waste program. It will be used by him to carry out requirements for States and Indian Tribes to participate in the siting and development of high-level radioactive waste geologic repositories. The Director has established a mechanism in the Division of High-Level Waste Management within his office to deal with State and Indian Tribe participation. Staff resources are available to assure that reported information is used in a timely and useful fashion. NRC usually sets a time limit for review and action on funding requests of 60 days.

Reduction of Burden Through Information Technology

The NRC foresees no opportunity to reduce the burden of information submittal through use of information technology. Each submittal is unique, is made only once, and is unlikely to be developed from other compiled information sources.

Effort to Identify Duplication

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

Use of Similar Information

No other sources of similar information are available.

Effort to Reduce Small Business Burden

No small businesses are affected by the information collection requirements, but some Indian Tribes might be considered small entities. The NRC staff's established program to provide information exchange with States and Tribes

could provide such Tribes with assistance in preparation of the requested information.

Consequences of Less Frequent Collection

The information collection requirements only apply to a single submittal.

Circumstances Which Justify Variation From OMB Guidelines

There are no variations from OMB guidelines.

Consultations Outside NRC

There have been no consultations outside NRC since the previous clearance.

Confidentiality

NRC provides no pledge of confidentiality for this collection of information.

Sensitive Questions

None.

Estimated Annualized Cost to the Government

Section 60.62 involves NRC staff review of requests for consultation. This should require no more than 40 hours of staff time per response. At \$132 per hour for staff time, this would be \$5,280 per respondent. The total for two responses is \$10,560.

Section 60.63 involves NRC staff review of proposals for participation in site review and licensing procedures. This should require no more than 80 hours of staff time per response. At \$132 per hour, this would be \$10,560 per respondent. The total for two responses is \$21,120.

Section 60.65 involves NRC staff review of the statement of representation. This should require no more than one hour of staff time per response. At \$132 per hour, this would be \$132 per response. The total for four responses would be \$528.

Total cost to the government is \$32,208 (244 hours x \$132/hr). Costs are not anticipated to be recurrent and thus cannot reasonably be annualized. Rather, all costs are likely to be incurred within a year or two following selection of a repository site or submittal of a license application. These costs are fully recovered by NRC through appropriations from the Nuclear Waste Fund which was established by the Department of Energy pursuant to the Nuclear Waste Policy Act of 1982.

Estimate of Burden

| <u>Number of Respondents</u> | <u>Frequency of Response</u> | <u>Annual Responses</u> | <u>Hrs/Response</u> | <u>Annual Burden</u> | <u>Public Cost (\$132/Hr)</u> |
|------------------------------|------------------------------|-------------------------|---------------------|----------------------|-------------------------------|
| 60.62 | Once only | 2 | 40 | 80 | \$1,560 |
| 60.63 | Once only | 2 | 80 | 160 | \$21,120 |
| 60.65 | Once Only | 4 | 1 | 4 | \$528 |
| Total | | 8 | | 244 | \$32,208 |

Reasons for Change in Burden

There is no change in burden.

Publication for Statistical Use

None.

B. Collection of Information Employing Statistical Methods

Statistical methods are not used in this collection of information.

NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping
Requirements: Office of Management and Budget Review

AGENCY: Nuclear Regulatory Commission

ACTION: Notice of the Office of Management and Budget review of information collection.

SUMMARY: The Nuclear Regulatory Commission (NRC) has recently submitted to the Office of Management and Budget (OMB) for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35).

1. Type of submission, new, revision, or extension: Extension.
2. The title of the information collection:
10 CFR Part 60 - Disposal of High-Level Radioactive Wastes
in Geologic Repositories
3. The form number if applicable: Not applicable.
4. How often the collection is required: The information need only be submitted one time.
5. Who will be required or asked to report: States or Indian Tribes, or their representatives, requesting consultation with the NRC staff regarding review of a potential high-level waste repository site, or wishing to participate in a license review for a potential repository.
6. An estimate of the annual number of responses: 8

7. An estimate of the total number of hours needed annually to complete the requirement or request: An average of 40 hours per response for consultation requests, 80 hours per response for license review participation proposals, and 1 hour per response for statements of representative authority. The total burden for all responses is estimated to be 244 hours.
8. An indication of whether Section 3504(h), Pub. L. 96-511 applies:
Not applicable.
9. Abstract: 10 CFR Part 60 requires States and Indian Tribes to submit certain information to the NRC if they request consultation with the NRC staff concerning review of a potential repository site or wish to participate in a license review for a potential repository. Representatives of States or Indian Tribes must submit a statement of their authority to act in such representative capacity. The information submitted by the States and Indian Tribes is used by the Director of the Office of Nuclear Material Safety and Safeguards as a basis for decisions about the commitment of NRC staff resources to the consultation and participation efforts.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, DC.

Comments and questions may be directed by mail to the OMB reviewer:

Troy Hillier

Office of Information and Regulatory Affairs (3150-0127)

NEOB-3019

Office of Management and Budget

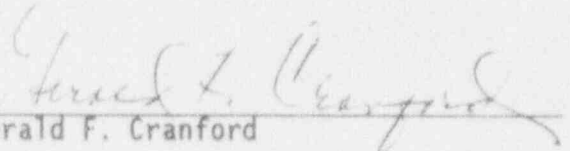
Washington, DC 20503

Comments may also be communicated by telephone at (202) 395-3084.

The NRC Clearance officer is Brenda Jo. Shelton, (301) 492-8132.

Dated at Bethesda, Maryland, this *5th* day of *February*, 1994.

For the Nuclear Regulatory Commission


Gerald F. Cranford

Designated Senior Official

for Information Resources Management