

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment request

AGENCY: U. S. Nuclear Regulatory Commission (NRC)

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

Information pertaining to the requirement to be submitted:

1. The title of the information collection: Security Termination Statement; Request for Access Authorization; Request for Visit or Access Approval

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2. Current OMB approval number: Nos. 3150-0049; 3150-0050;  
3150-0051
3. How often the collection is required: On occasion
4. Who is required or asked to report: NRC Form 136, licensee and contractor employees, who have been granted an NRC access authorization; NRC Form 237, any employee of approximately 20 licensees and 2 contractors who will require an NRC access authorization; NRC Form 277, any employee of two current NRC contractors who (1) holds an NRC access authorization, and (2) needs to make a visit to NRC, other contractors/licensees or government agencies in which access to classified information will be involved or unescorted area access is desired.
5. The number of annual respondents: NRC Form 136, 22; NRC Form 237, 22; NRC Form 277, 2.
6. The number of hours needed annually to complete the requirement or request: NRC Form 136, 40; NRC Form 237, 16; NRC Form 277, 1.



7. Abstract: The NRC Form 136 affects the employees of licensees and contractors who have been granted an NRC access authorization. When access authorization is no longer needed, the completion of the form apprises the respondent of their continuing security responsibilities. The NRC Form 237 is completed by licensees, NRC contractors or individuals who require an NRC access authorization. The NRC Form 277 affects the employees of contractors who have been granted an NRC access authorization and require verification of that access authorization and need-to-know in conjunction with a visit to NRC or another facility.

Submit, by (insert date 60 days after publication in the Federal Register), comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?


4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov>) under the FedWorld collection link on the home page tool bar. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC, 20555-0001, or by telephone at 301-415-7233, or by Internet electronic mail at [BJS1@NRC.GOV](mailto:BJS1@NRC.GOV).

Dated at Rockville, Maryland, this 23<sup>rd</sup> day of February, 1998.

For the Nuclear Regulatory Commission.

  
Brenda Jo. Shelton, NRC Clearance Officer  
Office of the Chief Information Officer



OMB SUPPORTING STATEMENT FOR

NRC FORM 136

Security Termination Statement

(3150-0049)  
Extension Request

Description of Information Collection

The reporting requirements associated with the NRC Form 136, "Security Termination Statement," affect the employees of approximately 20 licensees and 2 contractors who have been granted an NRC access authorization (security clearance). When the NRC access authorization is no longer needed, the employee acknowledges and accepts his/her continuing security responsibilities, as stated on the NRC Form 136, by signing the form. Only a minimum amount of other pertinent information (e.g., contract number, if applicable; date of termination), none of which is personal in nature, is requested by the form. The form is countersigned by a representative of the licensee or contractor who administered the completion of the form by the employee.

There is no recordkeeping requirement for the licensee or contractor since the completed NRC Form 136 is to be forwarded to NRC Headquarters, Division of Facilities and Security (DFS), for retention in the individual's Personnel Security File (PSF). The established retention period of the PSF is: destruction upon notification of death or 5 years after termination of the last access authorization held. Although maintained in the PSF, the completed NRC Form 136 would not fall under the exemptions of the Privacy Act of 1974 and, upon request, would be made available for public inspection in accordance with 10 CFR Part 9.

The use of this form affords some assurance that classified information and knowledge gained by the respondent will be properly protected and, therefore, benefits the NRC security program and public at large.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

Section 4.3 of Executive Order 12958 requires agencies to establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information. NRC's response to this requirement is termination of the access authorization when the circumstances cited in Section 25.33 of 10 CFR Part 25 (applicable to licensees) or in NRC Management Directive 12.3, (applicable to contractors) exist. The NRC Form 136, "Security Termination Statement," is an integral part of these termination of access authorization procedures.

2. Agency Use of Information

As stated in NRC Management Directive 12.3 (for contractors), and in 10 CFR 25.33 (for licensees), the completed NRC Form 136 is to be forwarded by the licensee/contractor to NRC Headquarters Division of Facilities and Security (DFS), who uses the information in connection with the termination of the respondent's access authorization. In addition to providing assurance of NRC compliance with E.O. 12958, the NRC Form 136 is the vehicle used by DFS to apprise the individual of his/her continuing responsibilities for protecting classified information that he/she had access to in the course of performing official duties. The individual's signature on this form indicates his acknowledgment/acceptance of these continuing responsibilities. Failure to use the NRC Form 136 by the licensee/contractor may result in: (1) failure to terminate the NRC access authorization when circumstances dictate and, therefore, continued access to classified information; and (2) the individual not being apprised of, or officially acknowledging (by signature) his/her continuing responsibilities for protecting classified information.

3. Reduction of Burden through Information Technology

No reduction in the information collection burden can be realized through information technology with respect to the NRC Form 136. The information contained/obtained on the form must be personally signed/reviewed/provided by the individual affected.

4. Effort to Identify Duplication and Use Similar Information

The information collection requirement does not duplicate information the affected licensee, organization, or person must submit for other purposes since the nature of the information requested/collected is unique to NRC's activity at the facility.

Since the information collected by the NRC Form 136 is specifically and solely related to the termination of an individual's NRC access authorization, there is no similar information collection made by any other government agency which could be utilized.

The Information Requirements Control Automated System (IRCAS) was searched and no duplication was found.

5. Effort to Reduce Small Business Burden

None of the licensees affected by the use of the NRC Form 136 qualify as small business enterprises or entities. The burden associated with this form is so minimal that there would be no significant burden on a contractor, if they qualified as a small business enterprise or entity.

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

The frequency of information collection is limited to circumstances when the respondent's NRC access authorization is to be terminated. In most cases, this is



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a one time event and less frequent collection would mean eliminating the collection altogether. If the information is not collected, the assurance that only appropriately cleared individuals have access to classified information is reduced; and it is likely that individuals will be unaware of their continuing responsibility to protect classified information. Thus, less frequent collection may endanger the U.S. common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

There is no variation from OMB Guidelines in the collection of information.

8. Consultations Outside the NRC

A Federal Register notice will be published requesting public comments.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

The information collected is used to terminate a respondent's NRC access authorization. The completed NRC Form 136 contains no information of a confidential or personal nature and would not fall under the exemption of the Privacy Act of 1974. Upon specific request, the form would be made available for public inspection in accordance with 10 CFR Part 9.

11. Justification for Sensitive Questions

There is no sensitive information requested on the NRC Form 136.

12. Estimated Burden and Burden Hour Cost

An estimated six minutes (based on staff experience) is required to complete each NRC Form 136, resulting in a total annual burden on the public of 40 hours. The estimated annual cost shared among the 22 licensees/contractors is \$5000. This was computed as follows:

400 annual responses (10% of the approximately 4,000 access authorizations held by licensees/contractors X 6 minutes completion time each = 40 hours X \$125 per hour = \$5000.

NOTE: There is no recordkeeping requirement for contractors/licensees to maintain a copy of the NRC Form 136.

13. Estimate of Other Additional Costs

Not applicable.

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government associated with the NRC Form 136 is \$1419.25. The cost was computed as follows:

NOTE: Annual form usage 400 (10% of the approximately 4,000 access authorizations held by licensees/contractors).

COST:

Annual clerical effort = \$1200  
(400 x 4 minutes = 26.67 hrs. X \$45/hr.)

Annual professional effort = \$167  
(400 X .2 minutes = 1.33 hrs. X \$125/hr.)

Annual record holding = 52.25  
(1/4 cu. ft. X \$209/cu. ft.)

Total estimated annual cost = \$1419.25

This cost is fully recovered through fee assessment to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Changes in Burden or Cost

There is no change in the burden estimate. However, the cost for professional effort has been reduced to \$125 per hour.

16. Publications for Statistical Use

There is no application of statistics in the information collection related to the NRC Form 136 and no publication of the information.

17. Reason for Not Displaying the Expiration Date

Not Applicable.

18. Exceptions to the Certification Statement

Not Applicable.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.



## OMB SUPPORTING STATEMENT FOR

### NRC FORM 237

Request for Access Authorization  
(3150-0050)  
Revision Request

#### Description of Information Collection

Title 10, Code of Federal Regulations, Part 11 "Criteria and Procedures for Determining Eligibility for Access to or Control Over Special Nuclear Material" and Part 25, "Access Authorization for Licensee Personnel" establish requirements that licensee personnel requiring access to either special nuclear material or classified information must have an investigation of their background and NRC Management Directive 12.3 "Personnel Security Program" establishes requirements that NRC contractors, subcontractors and other non-NRC individuals requiring access to classified information must have an investigation of their background. The reporting requirements associated with NRC Form 237 affect approximately 20 licensees and 2 contractors.

#### A. JUSTIFICATION

##### 1. Need for and Practical Utility of the Collection of Information

A completed NRC Form 237 is required to obtain or renew access to special nuclear material (10 CFR 11.15(a)(2) and (c)(1)) or classified information (10 CFR 25.17(c) and 25.21(c)(1) and (2)) for licensee personnel. It is also used to request NRC access authorizations for personnel of NRC contractors, subcontractors, or other individuals who are not applicants for employment with NRC. The signature of the authorizing official (the security officer) and the approval of the NRC sponsoring official must appear on the form. The information on the form will be reviewed by NRC Division of Facilities and Security personnel. Any questions about the validity or appropriateness of the request may be referred to the NRC office exercising contractual, licensing or regulatory authority over the requesters before processing the access authorization request.

In addition to the signatures mentioned above, the form contains the name of the applicant, the level of access authorization requested, the applicant's date of birth, other appropriate remarks (e.g., previous clearance history), and an identification of enclosures (e.g., completed personnel security packet). A personnel security packet received without this form or without the authorizing official's signature will result in no action being taken on the access authorization request. This information collection for access authorizations benefits NRC and the Federal government by affording a greater degree of control over who is granted access to special nuclear material or classified information.

##### 2. Agency Use of Information

The information on NRC Form 237 is forwarded to the Division of Facilities and Security (DFS) for administrative review and processing for access authorization. If the individual for whom access is being sought currently has an active access authorization with another Federal agency, DFS may request certification of this access authorization from the agency concerned. Upon receipt of this certification, DFS will reply to the requester indicating that the requested access authorization has been granted. This process normally can be completed within 30 days. If the individual for whom access is being sought does not have an active access authorization with another Federal agency, DFS will take action to obtain the type of investigation necessary to support the level of access sought. Upon favorable review of the completed investigation, DFS notifies the requester of the access authorization approval. If, after review of the investigation, DFS determines that there is a question of the individual's eligibility for NRC access authorization, the "due process" provisions of 10 CFR Parts 10 and 11 may be invoked.

3. Reduction of Burden through Information Technology

There is no information technology available which would reduce the burden and provide the documentation of identity and signature certification necessary to request an access authorization.

4. Effort to Identify Duplication and Use Similar Information

NRC Form 237 does duplicate certain identifying data (e.g., name, date of birth, and level of clearance) requested on other forms in order to assure positive identification of the individuals for whom access authorization is being sought. The Department of Energy and some other government agencies use similar forms. However, since there is no standard form available for Government-wide use, the NRC Form 237 is needed to ensure that NRC has a standard procedure for receiving requests for access authorizations.

Since the form is only used when clearance for access to special nuclear material or classified information is being requested there is no other similar information available.

The Information Requirements Control Automated System (IRCAS) was searched and no duplication was found.

5. Effort to Reduce Small Business Burden

None of the licensees affected by the use of the NRC Form 237 qualify as small business enterprises or entities. The burden associated with this form is so minimal that there would be no significant burden on a contractor, if they qualified as a small business enterprise or entity.

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



Since the collection of information is only required when one applies for access to special nuclear material or classified information, there is no established frequency for collection. In most cases, this is a one time event and less frequent collection would mean eliminating the collection altogether. If the information is not collected, the assurance that only individuals who are properly authorized have access to classified information or special nuclear material is reduced. Thus, less frequent collection may endanger the U.S. common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

No variation from OMB guidelines is required for the purpose of this collection process.

8. Consultations Outside the NRC

A Federal Register Notice will be published requesting public comment.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

NRC provides no pledge of confidentiality for this collection of information, however, as Social Security Numbers may be provided as a part of the information provided, they are protected by the Privacy Act and their confidentiality is maintained.

11. Justification for Sensitive Questions

NRC does not request any sensitive information on this form.

12. Estimated Burden and Burden Hour Cost

An estimated twelve minutes (based on staff experience) is required to complete each NRC Form 237, resulting in a total annual burden on the public of 16 hours. The estimated annual financial burden shared among the 22 licensees/contractors is \$2000. This was computed as follows: 80 applicants X 12 minutes per request X \$125/hr.

13. Estimate of Other Additional Costs

Not applicable.

14. Estimated Annualized Cost to the Federal Government

The annual cost to NRC is estimated to be \$1,666.67. This cost was computed as follows:

Annual professional effort = \$1,666.67

(10 minutes [processing, program review and approving requests for processing]  
X 80 = 13.33 hrs. X \$125 per hour).

This cost is fully recovered through fee assessment to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Changes in Burden or Cost

There is no reduction in the burden. However, the cost for professional effort has been reduced to \$125 per hour.

16. Publications for Statistical Use

Data from this information collection are not published for statistical purposes. Statistical methods cannot be used in the collection of information since each instance relates to an individual applying for access to special nuclear material or classified information.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.



## OMB SUPPORTING STATEMENT FOR

NRC FORM 277  
(3150-0051)  
Revision Request

### Request for Visit or Access Approval

#### Description of the Information Collection

The information collection associated with the NRC Form 277, "Request for Visit or Access Approval," affects any employee of two current NRC contractors who: (1) holds an NRC access authorization; and (2) needs to make a visit to NRC, other contractors/licensees or government agencies in which access to classified information will be involved or unescorted area access is desired. The completed NRC Form 277 contains a signature certification of the NRC access authorization and of an official need-to-know. Only a minimal amount of other identifying or pertinent information (e.g., date of birth, clearance type, dates of visit) is requested by the form.

Personal information contained on the completed form is handled and protected in accordance with NRC directives and provisions of the Privacy Act of 1974.

Other information contained on, or pertaining to the form (e.g., reporting requirements), is available for public inspection in accordance with 10 CFR Part 9.

The use of NRC Form 277 affords some assurance that only properly cleared and authorized individuals, who require access as a part of their official duties, will have such access during visits to other facilities and agencies. Therefore, the use of the NRC Form 277 benefits the NRC security program and public at large.

#### A. JUSTIFICATION

##### 1. Need for and Practical Utility of the Collection of Information

Section 4.2 Executive Order (E.O.) 12958 states a person may have access to classified information provided that: (1) a favorable determination of eligibility for access has been made by an agency head or the agency head's designee ... and the person has a need-to-know the information. Further, Section 4.3 requires agencies to "... establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information.

The use of the NRC Form 277, as cited in NRC Management Directive 12.3 applicable to contractors, is the method by which NRC can provide assurance of compliance with the above provisions of E.O. 12958. The NRC Form 277 provides the facility/agency to be visited with verification of the visitor's NRC access authorization and certification of their official need-to-know for the classified information regarding the visit. By requiring the information collection contained on the NRC Form 277, the facility/agency can assure that only properly cleared and authorized individuals will be permitted access during a visit.

2. Agency Use of Information

The NRC Form 277 is forwarded by the contractor through the appropriate NRC office exercising oversight authority for certification of need-to-know to the NRC Division of Facilities and Security (DFS). After clearance verification, DFS forwards the completed form to the security office having cognizance over the facility to be visited. The security office of the facility being visited uses the information collected to confirm identity of the visitor and to permit the visitor access to the requested classified information/area. Failure to use the NRC Form 277 by the contractor may result in denied access to classified information or areas which are necessary in the accomplishment of official duties.

3. Reduction of Burden through Information Technology

No reduction in the information collection burden can be realized through information technology with respect to the NRC Form 277. The information contained and/or obtained on the form is visit specific. Also, original signatures are necessary for access authorization verification and need-to-know certification.

4. Effort to Identify Duplication and Use Similar Information

In order to safeguard classified information, other Government agencies and certain facilities collect information of a nature similar to the NRC Form 277, to verify the access authorization and confirm the need-to-know of visitors. The information collection on a given NRC Form 277 does not duplicate other information collections made by the NRC or other Government agencies since each visit/access approval is unique. With respect to the actual form, essentially identical forms are used throughout the U.S. Government, yet there is no standard form available. Instead, there is reciprocal acceptance of the forms among facilities/Agencies which is the closest approximation to use of similar information possible under the circumstances.

The Information Requirements Control Automated System (IRCAS) was searched and no duplication was found.

5. Effort to Reduce Small Business Burden

The burden associated with the occasional use of this form is so minimal that there would be no significant burden on a contractor, if they did qualify as a small business enterprise or entity.

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

The frequency of information collection is dependent on the number of visits an individual makes to Government agencies or facilities. In most cases, a less frequent collection would mean eliminating the collection, as visits by contractors, for which the NRC Form 277 would be required, are infrequent. If the information is not collected, access by the visitor to classified information or areas, necessary



in the accomplishment of official duties, may be denied. Further, a reduction in the collection of the information required by the NRC Form 277 would reduce the assurance that only properly cleared and authorized individuals will be permitted access during a visit. Thus, less frequent collection may endanger the U.S. common defense and national security.

7. Circumstances Which Justify Variation from OMB Guidelines

There is no variation from OMB Guidelines in the collection of information.

8. Consultations Outside the Agency

A Federal Register Notice will be published requesting public comment.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

The information collected is used to establish the permissible access associated with a visit for an individual. The information is protected from public disclosure under the Privacy Act of 1974 and is handled in accordance with routine uses specified in the Privacy Act Statement contained on the form.

11. Justification for Sensitive Questions

NRC does not request sensitive information on this form.

12. Estimated Burden and Burden Hour Cost

An estimated ten minutes (based on staff experience) is required to complete each NRC Form 277, resulting in a total annual burden on the public of one hour. The estimated annual cost shared between the two contractors is \$125.00. This was computed as follows:

6 annual responses X 10 minutes completion time each = 1 hour X \$125 per hour  
= \$125.00.

13. Estimate of Other Additional Costs

None

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government associated with the NRC Form 277 is \$114.03. This cost was computed as follows:

NOTE: Annual form usage for NRC contractors is estimated as 6.

COSTS:

Annual clerical effort = 45  
(6 x 10 minutes = 1.0 hrs. X \$45/hr.)

Annual professional effort = 62.50  
(6 x 5 minutes = 0.5 hrs. X \$125/hr.)

Annual record holding (3 yrs.) = 6.53  
(1/32 cu. ft. X \$209/cu. ft.)

15. Reasons For Changes in Burden or Cost

The burden estimates have been reduced because NRC licensees with NRC cleared personnel are no longer subject to NRC Form 277 requirements. The cost for professional effort has been reduced to \$125 per hour.

16. Publication for Statistical Use

There is no application of statistics in the information collection related to NRC Form 277 and no publication of the information.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.