

FINAL SUPPORTING STATEMENT FOR
COMPREHENSIVE DECOMMISSIONING PROGRAM ANNUAL
SITE LIST AND POINT OF CONTACT EXTENSION

REVISION

(3150-0206)

Description of the Information Collection

Section 274 of the Atomic Energy Act recognizes the need and establishment of programs for cooperation between the U.S. Nuclear Regulatory Commission (NRC) and the States to control the radiation hazards associated with the use of radioactive materials. To further the objective of cooperation in the decommissioning program area on an annual basis Agreement States will be asked to provide a list of sites undergoing decommissioning, and a point of contact for information about uranium recovery and complex sites undergoing decommissioning that are regulated by the Agreement States. The information request will allow the NRC to compile, in a centralized location, a list of sites and points of contact who can provide information regarding Agreement State sites undergoing decommissioning in the United States.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection Information

In 1959, Section 274 of the Atomic Energy Act was enacted to provide a statutory basis under which the Federal Government could relinquish to the States portions of its regulatory authority. The amendments made it possible for the States to license and regulate byproduct, source material, and small quantities of special nuclear material including the decommissioning of materials facilities (nuclear reactors were excluded) that possess, process or otherwise handle radioactive materials. The mechanism for the transfer of NRC's authority to a State is an agreement between the Governor of the State and the NRC. To date, there are 39 Agreement States.¹ Currently, there are a number of sites that are undergoing decommissioning under the jurisdiction of the Agreement States. As part of the NRC's comprehensive decommissioning program, a list of sites undergoing decommissioning and point of contact for information about uranium recovery and complex materials sites undergoing decommissioning under the jurisdiction of the Agreement States, is being requested by the NRC.

This information will be used by the NRC to ensure accurate site information is accessible to interested stakeholders.

2. Agency Use of Information

The annual identification of sites and contacts for decommissioning in the individual Agreement States will enable the NRC to enhance openness and provide the public a means to obtain up-to-date information on decommissioning

¹ Agreement States include: AK, AL, AR, AZ, CA, CO, FL, GA, IA, IL, KS, KY, LA, MA, MD, ME, MN, MS, NC, ND, NE, NH, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI and WY

sites within the United States. The site and contact information will also be used to obtain up-to-date information on sites in preparing responses to Congressional inquiries and requests for information from other sources. There is no source for obtaining such necessary information other than from the Agreement States.

3. Reduction of Burden Through Information Technology

The NRC has issued [Guidance for Electronic Submissions to the NRC](#) which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished via the following avenues: the Electronic Information Exchange (EIE) process, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (OSM) (e.g. CD-ROM, DVD), by facsimile or by e-mail. It is estimated that approximately 100% of the potential responses are filed electronically.

4. Efforts to Identify Duplication and Similar Use Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

Not Applicable.

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

The information collection is an annual action, which addresses the need for a list of sites and points of contact to provide information on sites regulated by the Agreement States. The consequences of not collecting current Agreement State site and contact information on the uranium recovery and complex decommissioning sites within their State could potentially impact the American public's confidence that the U.S. program for the decommissioning of uranium recovery and complex sites is being effectively overseen.

7. Circumstances Which Justify Variation from OMB Guidelines

Not Applicable.

8. Consultation Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on June 19, 2020 (85 FR 37114). On July 9, 2020 the NRC staff contacted the Agreement State points of contact in Wyoming, Texas, Pennsylvania, Ohio, California, Illinois and New Jersey by email and requested their input on the proposed information collection. Specifically, the NRC staff requested input on the following:

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?

One set of comments was received on August 8, 2020:

Comment #1a - If the NRC does not regulate the site decommissioning in an Agreement State, how is the information necessary for NRC to properly perform their function?

NRC Response: We agree with the comment that the NRC does not regulate decommissioning in an Agreement State but believe that it is important from a national perspective that the NRC provide the public a central location for information on decommissioning sites in the United States. NRC has been providing this central location for many years and the new information collection effort should improve the timeliness of the information included in the NRC website. We agree with the comment on the utility of the information.

The NRC's annual request for information regarding uranium recovery and complex sites undergoing decommissioning will allow the NRC to compile the necessary information to ensure openness and promote communication and to enhance public knowledge of the national decommissioning program. Agreement States are parties to the national decommissioning program, so, it is reasonable that we provide the information necessary for the NRC to accomplish this goal.

Comment #1b - The information does provide a practical utility in that it provides the public a single place to identify the complex site decommissioning activities across the nation.

NRC Response: We agree with the comment.

Comment #2 - We are not aware of the schedule for providing the annual questionnaire, but having the questionnaire provided to the respondent early in the year may allow for the collection of the requested information as events transpire throughout the year.

NRC Response: We agree with the comment and will provide the request for information early in the calendar year.

Comment #3 - We are not aware of the schedule for providing the annual questionnaire, but having the questionnaire provided to the respondent early in the year may allow for the collection of the requested information as events transpire throughout the year.

NRC Response: See response to comment #2, above.

Comment #4 - The burden of information collection could be reduced through the development and implementation of electronic filing systems by the respondents, and the implementation of periodic (i.e. quarterly) internal updates by respondents to their annual reports in preparation for the anticipated annual NRC requests for information.

NRC Response: This new collection effort should significantly reduce the burden to the Agreement States and, once the effort has been implemented, the NRC staff will evaluate other methods to obtain the information from the Agreement States.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

The NRC is not requesting that the Agreement States submit any sensitive or confidential information as part of this information collection.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Burden and Burden Hour Cost

The NRC will issue one request annually to 39 Agreement States. It is estimated that 14 respondents from the 39 Agreement States will have sites undergoing decommissioning under the jurisdiction of their State, and the remaining 25 respondents will have no sites undergoing decommissioning under jurisdiction of their State. Each Agreement State will provide one response that includes a list of

sites undergoing decommissioning and a point of contact, and the NRC anticipates receiving a total of 39 responses.

The burden for the response for each Agreement State with sites undergoing decommissioning should be the same regardless of the number of sites undergoing decommissioning. The average annual burden to provide the voluntary responses to the NRC is 2 hours for each of the 14 Agreement States with sites undergoing decommissioning. The 2-hour estimate is based on NRC staff experience in identifying sites and contacts for other activities. It is significantly less than the previous estimate because the NRC is no longer requesting detailed site information as part of the response. The identification of an updated list of sites and contacts rather than a detailed description of the site decommissioning status allows interested stakeholders to obtain up to date information directly from the regulatory authority for the site. The estimated annual burden for the 14 Agreement States respondents is 28 hours (14 Agreement States x 2 hours).

	NO. OF RESPONDENTS	RESPONSES PER RESPONDENT	TOTAL RESPONSES	ANNUAL BURDEN PER RESPONSE (hours)	TOTAL ANNUAL BURDEN (hours)
Agreement States With sites of interest	14	1	14	2	28

The 25 Agreement State respondents with no sites of interest will each provide one response to this request. As a result, the NRC anticipates receiving 25 voluntary responses from these respondents confirming there are no sites of interest. The average annual burden for each of these 25 respondents to verify whether they have any uranium recovery and/or complex sites under their purview is 0.5 hours. This estimate is based on NRC staff experience in identifying sites in other activities. The burden for Agreement States with no sites of interest is lower than burden for States with sites of interest because these States only report that they have no sites of interest. The estimated annual burden for the 25 Agreement States respondents is 12.5 hours (25 Agreement States x 0.5 hours).

	NO. OF RESPONDENTS	RESPONSES PER RESPONDENT	TOTAL RESPONSES	ANNUAL BURDEN PER RESPONSE (hours)	TOTAL ANNUAL BURDEN (hours)
Agreement States With no sites of interest	25	1	25	0.5	12.5

The total number of anticipated responses is 39. The annual cost is estimated to be \$11,300 (\$279/professional staff hours x 40.5 staff hours).

The \$279 hourly rate used in the burden estimates is based on the NRC's fee for hourly rates as noted in 10 CFR 170.20 "Average cost per professional staff-hour." For more information on the basis of this rate, see the Revision of Fee Schedules; Fee Recovery for Fiscal Year 2019 (84 FR 22331, May 17, 2019).

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

Based upon staff estimates, NRC will spend about 15 professional hours annually on the exchange of site information with the Agreement States, including the time spent compiling and processing Agreement State responses for recordkeeping purposes at the conclusion of the collection. Due to the reduced amount of information collected, the amount of hours it takes to review has greatly reduced since the last renewal. Using the staff hourly rate of \$279, the annual cost to the NRC is approximately \$4,185 (15 annual professional hours x \$279/hour rate).

15. Reasons for Change in Burden

The estimated burden has decreased by 391.5 hours from 432 to 40.5 hours. The burden has changed due to a decrease in the amount of information being requested from the Agreement States. Rather than a site-specific description of decommissioning activities, only a list of sites and a contact is being requested. Agreement States are requested to complete one response annually.

16. Publication for Statistical Use

Currently, there are no plans to publish this information for statistical use.

17. Reason for Not Displaying the Expiration Date

The expiration date is shown on the letter requesting the information from Agreement States.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.