PAPERWORK REDUCTION ACT SUBMISSION

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your altency's Paperwork Clearance Officer. Send two cop	ies of this form, the collection instrument to be reviewed, the collection instrument to be reviewed, the collection and Regulatory Affairs, Office of 5 17th Street NW, Washington, DC 20503.
Agency/Subagency originating request	2. OMB control number
U.S. Nuclear Regulatory Commission	J a 3150 7 0 00 9 26 b. None
3. Type of information collection (check one)	4. Type of review requested (check one)
a. New collection	✓ a. Regular c. Delegated
J b. Revision of a currently approved collection	b. Emergency - Approval requested by (date):
c. Extension of a currently approved collection	5. Will this information collection have a significant economic impact on a substantial number of small entities?
d. Reinstatement, without change, of a previously approved collection for which approval has expired	J 5. NO
e. Reinstatement, with change, of a previously approved collection for which approval has expired	6. Requested expiration date b. Other (Specify):
f. Existing collection in use without an OMB control number 7. Title	D. Other (openity).
Not applicable 9. Keywords Special Nuclear Material, Radiation Protection, Materio. Abstract 10 CFR 70 establishes procedures and criteria for the in and transfer special nulcear material.	rial Control and Accounting ssuazce of licenses to own, acquire, receive, use, possess,
11. Affected public (Mark primary with "P" and all others that apply with "X") a. Individuals or households P b. Business or other for-profit X c. Not-for-profit institutions X f. State, Local or Tribal Government T. Annual reporting and recordkeeping hour burden All with "X")	12. Obligation to respond (Mark pnmary with *P* and all others that apply with "X") a. Voluntary b. Required to obtain or retain benefits c. Mandatory 14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs
a. Number of respondents b. Total annual responses 1,123	b. Total annual costs (O&M)
1. Percentage of these responses collected electronically 0.9 %	c. Total annualized cost requested d. Current OMB inventory
c. Total annual hours requested 77,835	e. Difference
d. Current OMB inventory 83,200	C. Dillorotto
e. Difference (5,365)	f. Explanation of difference
Explanation of difference	1. Program change
1 Program change	2. Adjustment 0
2. Adjustment (5,365)	_
Purpose of information collection (Mark primary with "P" and all others that apply with "X")	16. Frequency of recordkeeping or reporting (check all that apply) a Recordkeeping b Third-party disclosur
a. Application for benefits e. Program planning or managem	
b. Program evaluation f. Research	1. On occasion 2. Weekly 3. Monthly
c. General purpose statistics P g. Regulatory or compliance	4. Quarterly 5. Semi-annually 6. Annually
d. Audit	7. Biennially 9. Other (describe) 2, 5,10 years
17. Statistical methods	18. Agency contact (person who can best answer questions regarding the
	and the state of t
Does this information collection employ statistical methods?	content of this submission) Frank Cardile
Yes No	Name: Frank Cardile Phone: 301-415-6185

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SUPPORTING STATEMENT FOR 10 CFR PART 70 DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL AND DRAFT REGULATORY GUIDE DG-3008 (3150-0009)

REVISION

Description of the Information Collection

NRC regulations in 10 CFR Part 70 establish procedures and criteria for the issuance of licenses to receive title to, own, acquire, deliver, receive, possess, use, or transfer special nuclear material. Draft Regulatory Guide DG-3008 provides guidance on an acceptable nuclear criticality safety training program to meet the requirements of the regulations. 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.

A. Justification

1. Need for and Practical Utility of the Information Collection

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 derived 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 70.9(b) requires that an applicant or licensee notify the Commission of information which the licensee recognizes as having significant implications for the public health and safety or the common defense and security. This requirement applies only to information which is not covered by other reporting or updating requirements. The information must be provided within two working days.

This requirement is necessary because there may be some circumstances in which a licensee possesses some information which could be important to the protection of public health and safety or the common defense and security but which is not otherwise required to be reported. The codification of this full disclosure requirement should not result in significant additional burdens on applicants or licensees. No formal program is required. What is expected is that licensees will maintain a professional attitude toward safety and that if some potential safety information is identified by the licensee, the information will be provided freely and promptly to the NRC so that the agency can evaluate it and act on it if necessary.

Section 70.14(a) provides that the Commission may grant exemptions from the requirements of the regulations in Part 70 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.

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Section 70.19(c)(2) requires that a calibration or reference source, or the storage container, bear a label containing the model number, serial number, name of manufacturer or initial transferor, and a statement that the source is subject to a general license and the regulations of NRC or an Agreement State, as well as a caution statement warning of the radioactive contents. This information needs to be available on the device so that in the event it is lost, anyone finding it will be aware of its hazards and whom to contact or, if there is an accident, the appropriate party may be contacted for vital information to determine the degree of possible hazard.

Section 70.20a(d) requires that any person who possesses formula quantities of strategic special nuclear material under the general license established in Section 70.20a submit and receive NRC approval of a transportation security plan. The plan must put line the procedures that will be used to meet the requirements of specified sections of Part 73, including a plan for the selection, qualification, and training of armed escorts, or the specification and design of a specially designed truck or trailer as appropriate. This information will be reviewed by the NRC staff to ensure that the transportation plan is sufficient to protect the material being transported.

Section 70.20a(e) requires that any person who possesses irradiated reactor fuel under the general license of Section 70.20a must comply with the reporting requirements of Section 73.71. The reports will be used by the staff in the Regional Office to ensure appropriate physical protection of irradiated reactor fuel in transport. In addition, in the event of an unaccounted-for shipment, suspected theft, unlawful diversion, radiological sabotage or event which significantly threatens or lessens the effectiveness of the physical protection of irradiated reactor fuel in transport, the NRC Operations Center must be notified so that appropriate contingency plans can be put into operation. The reporting requirements of 10 CFR Section 73.71 have been previously cleared under 0MB No. 3150-0002, which should be referred to for burden, cost, and further supporting data.

Section 70.20b(f) requires that persons generally licensed under Section 70.20b who plan to carry transient shipments with scheduled stops at U.S. ports must notify the NRC in writing, 10 days in advance of shipment, of all scheduled stops in U.S. territory, arrival and departure times, the type of transport vehicle, the special nuclear material contained in the shipment, the number and types of containers, the name and telephone number of the carrier's representative at each stopover location in U.S. territory, assurance of protection for shipments between countries that are not party to the Convention on Physical Protection of Nuclear Material, and a physical protection plan for implementing the requirements of Section 70.20b(c), including use of armed personnel to protect the shipment while in a U.S. port. Licensees must also notify NRC by telephone that such a notification has been sent, and must provide any changes to shipment itinerary. This information will be reviewed by the NRC staff to ensure that the transportation plan is sufficient to protect the material being transported.

Section 70.20b(g) requires that persons generally licensed under Section 70.20b making unscheduled stops at U.S. ports must immediately provide to NRC the information required under Section 70.20b(f). This information will be reviewed by the Safeguards staff to ensure that the transportation plan for transient shipments of formula quantities of special nuclear material with unscheduled stops at U.S. ports is sufficient to protect the material being transported.

Sections 70.21(a), 70.22, 70.33, and 70.34

Section 70.21(a) specifies the number of copies of applications required, the methods of filing applications, and the places where applications may be filed. Section 70.22 specifies the

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information that each license application must contain. Sections 70.33 and 70.34 state the requirements for renewals and amendments. Part 70 licenses are generally issued for a period of ten years. Thus, every ten years an application for renewal of the license must be submitted by each licensee. Major fuel cycle facility licensees are required to provide updates of the safety demonstration section of the license every two years. Because Part 70 licenses cover a very broad range of uses, license applications vary from simple to complex. The information collection requirements in Section 70.22 reflect the differences in needed information for the various types of licenses. Section 70.22(a) applies to all licenses and requires that applicants submit basic information such as their organizational structure, the quantity of special nuclear material to be used, the use of the material, and a description of the equipment, facilities and procedures to be used to protect the public health and safety. Sections 70.22(b) and 70.22(f) through (k) require additional information from applicants for major licenses related to control and accounting for special nuclear material, design for natural phenomena, quality assurance, physical protection for the plant and during transportation of material, and emergency plan. Section 70.22(d) provides that NRC may require further statements after the filing of the application and before expiration of the license to enable NRC to determine whether the application should be granted or denied or whether a license should be modified or revoked. Such additional information is sometimes needed to clarify information submitted in the application, or to rectify deficiencies in proposed or existing programs for protection of the public health and safety, the common defense and security, or the environment.

The information submitted is reviewed by various NRC organizational units to assess the adequacy of the applicant's physical plant, equipment, organization, training, experience, procedures and plans for protection of the public health and safety, common defense and security, and the environment. The NRC review and the findings derived therefrom form the basis for NRC decisions concerning the issuance, modification or revocation of licenses for special nuclear material.

<u>Section 70.21(f)</u> requires that an application for a license to possess and use special nuclear material for processing and fuel fabrication, scrap recovery, or conversion of uranium hexaflouride, or for the conduct of any other activity which the Commission determines will significantly affect the quality of the human environment, must be accompanied by an Environmental Report required under 10 CFR Part 51.

The Environmental Report is received by the NRC staff, and serves as a basis for the preparation by NRC of an Environmental Impact Statement or an Environmental Assessment, which gives detailed consideration to the environmental impacts associated with construction and operation of a proposed facility or conduct of the activity and assesses impacts in terms of the available alternatives. This information is necessary to permit NRC to comply with the requirements of the National Environmental Policy Act of 1969. The burden and cost associated with this requirement are attributable to and have been previously cleared by OMB under 10 CFR Part 51, OMB No. 3150-0021, which should be referred to for further supporting information, burden and cost data.

Section 70.21(g) requires that, in response to a written request from the Commission, an applicant for a license to possess and use more than one effective kilogram of special nuclear material shall file with the Commission the installation information described in 10 CFR Section 75.11. This information is required by NRC in order for the United States to comply with the US/IAEA Safeguards Agreement. IAEA Form N-71, "Design Information Questionnaire," is used to collect this information. Section 75.11 has been previously cleared under OMB No. 3150-0055. IAEA Form N-71 has been previously cleared under 0MB No. 3150-0056. Those clearances should be referred to for further supporting information, burden and cost data.

Section 70.21(h) requires that an application for a uranium enrichment facility contain an environmental report in accordance with 10 CFR Part 51.

The Environmental Report is reviewed by the NRC staff, and serves as a basis for the preparation by NRC of an Environmental Impact Statement or an Environmental Assessment, which gives detailed consideration to the environmental impacts associated with construction and operation of the proposed facility and assesses impacts in terms of the available alternatives. This information is necessary to permit NRC to comply with the requirements of the National Environmental Policy Act of 1969, as amended, and is required by the provisions of Public Law 101-575. The burden and cost associated with this requirement are attributable to and have been previously cleared by OMB under 10 CFR Part 51, OMB No. 3150-0021, which should be referred to for further supporting information, burden and cost data.

Section 70.22 sets forth the requirements for the contents of applications. Section 70.22(a)(9) specifies that, as required by Section 70.25, certain applications for specific licenses must contain a proposed decommissioning funding plan or a certification of financial assurance for decommissioning. The records and reports required are necessary for the Commission to determine whether an applicant has planned for and will be able to ensure that appropriate decontamination efforts will be taken to minimize exposure of workers to radioactive materials and to reduce the residual radioactive contamination sufficiently to protect the public health and safety and the environment. Section 70.22(g) requires that the licensee retain the description of the plan for physical protection of special nuclear material in transit and the safeguards contingency plan or safeguards response procedures, and each change to the plan or procedures, as a record for three years. Section 70.22(h) requires that the licensee retain a copy of the physical security plan and each change to it as a record for three years after the licensee last possessed the material. Section 70.22(I) requires that the licensee retain a copy of the plans for coping with emergencies as a record until the Commission terminates the license, and retain each change for three years. Section 70.22(j) requires that the licensee retain a copy of the safeguards contingency plan as a record until the Commission terminates the license, and retain each change for three years. Section 70.22(k) requires that the licensee retain a copy of the physical security plan as a record as long as the licensee possesses the material, and retain each change for three years. Section 70.22(m) requires that an application for a uranium enrichment facility involving the use of special nuclear material include the applicant's provisions for public liability. This requirement allows NRC to determine that the applicant meets the provisions of Public Law 101-575.

Section 70.24(a)(3) requires that licensees maintain emergency procedures for those areas subject to the criticality monitoring requirements of 70.24(a). These procedures are designed to assure that all personnel will withdraw to an area of safety upon the sounding of a criticality alarm. Further, the procedures include requirements for periodic drills to familiarize personnel with the evacuation plans, designation of responsible individuals for determining the cause of the alarm and placement of radiation survey instruments in accessible locations for use in an emergency.

Section 70.25 sets forth the requirements for financial assurance and recordkeeping for decommissioning. Sections 70.25 (a) and (b) specify which licensees are required to submit a certification or funding plan. Sections 70.25(c) and (d) specify prescribed amounts required for certification. Section 70.25(e) specifies the content of the funding plan. Section 70.25(f) specifies acceptable methods for providing for financial assurance either through a certification or funding plan. Section 70.25(g) requires that licensees keep records important to the safe and effective decommissioning of the facility until the license is terminated by the Commission. Section 70.25(g)(1) requires that licensees keep records of spills or other unusual occurrences involving the spread of contamination that remains after cleanup, including information on involved nuclides,

quantities, forms, and concentrations. Section 70.25(g)(2) requires that licensees keep records of as-built drawings and modifications of structures and quipment in restricted areas where radioactive materials are used and/or stored, and of locations of possible inaccessible contamination such as buried pipes. Section 70.25(g)(3) requires that licensees list in a single document (to be held by the licensee and updated once every two years) identification of all restricted areas where licensed materials were used or stored, all areas outside of restricted areas where documentation is required under Section 70.25(g)(1) for unusual occurrences or spills, and all areas outside of restricted areas where waste has been buried or containing material such that, if the license expired, the licensee would be required to decontaminate the area or seek special approval for disposal. This listing must be updated and maintained for the life of the license. Section 70.25(g)(4) requires that licensees keep records of the cost estimate performed for the decommissioning funding plan or of the amount certified for decommissioning, and records of the funding method used.

The records and reports required by Section 70.25 are necessary for the Commission to determine whether an applicant will be able to decontaminate licensed premises to a level suitable for release for unrestricted use before the license may be terminated. NRC will review the information to ensure that adequate funds will be available to ensure that the applicant will conduct decontamination efforts in a timely manner and minimize exposure of workers to radioactive materials. The information will also be used to ensure that the decontamination efforts will reduce the residual radioactive contamination sufficiently to protect the public health and safety after the license is terminated.

Section 70.32(a)(9) requires each licensee to notify the NRC by mail immediately following the commencement of a bankruptcy proceeding by or against the licensee. No action is required of a licensee unless and until a bankruptcy petition is filed.

Notification of the NRC in cases of bankruptcy would alert the Commission so that it may deal with potential hazards to the public health and safety posed by a licensee that does not have the resources to properly secure the licensed material or clean up possible contamination. The information provided by the required notification would be used by the inspection and licensing staff, in consultation with legal and program staff, to initiate a determination of the need for prompt NRC response or regulatory action. In addition, prompt notification would allow NRC to take timely and appropriate action in a bankruptcy proceeding to seek to have available assets of the licensee applied to cover costs of site cleanup before funds are disbursed and become unavailable for cleanup.

Sections 70.32(c), (d), (e), (g), and (l)

The application, recordkeeping, and reporting requirements in Section 70.32 permit the NRC regulatory staff to evaluate changes which a licensee has made, or proposes to make, in the material control and accounting and measurement control programs, the plan for physical protection of special nuclear material in transit, and the physical security plan at a fixed site. They also provide a means of determining whether such changes involve a significant decrease in the effectiveness of the program or plan.

Section 70.32(c) requires that each licensee authorized at any one time and location to possess and use a quantity exceeding one effective kilogram of special nuclear material maintain and follow: (1) a program for the control of and accounting for special nuclear material meeting the requirements in specified Sections of Parts 70 and 74; (2) a measurement control program meeting the requirements contained in specific sections of Parts 70 and 74; and (3) such other material control procedures as the Commission determines to be essential for the safeguarding of special nuclear

material. This section also provides that a licensee shall make no change to these plans which would decrease the effectiveness of the material control and accounting program or the measurement control program without the prior approval of the Commission. A licensee desiring to make such changes is required to submit an application for amendment to the license. A licensee is required to maintain records of changes to these programs made without prior Commission approval and to inform the Commission of each change within a specified period of time after the change is made.

Section 70.32(d) provides that a licensee making shipments of special nuclear material shall make no change which would decrease the effectiveness of the plan for physical protection of the material without prior approval of the Commission. A licensee desiring to make such changes is required to submit an application to the Commission. A licensee is required to inform the Commission of each change within a specified period of time after the change is made. The licensee must retain a copy of the plan as a record as long as the licensee possesses the material and must retain changes to the plan for three years.

Section 70.32(e) provides that a licensee who possesses or uses special nuclear material at any given site shall make no change which would decrease the effectiveness of its physical security plan without prior approval of the Commission. A licensee desiring to make such a change is required to submit an application to the Commission. A licensee is required to maintain records of changes to the plan made without prior Commission approval and to inform the Commission of each change within a specified period of time after the change is made.

Section 70.32(g) requires a licensee to prepare and maintain safeguards contingency plan procedures in order to effect the actions and decisions contained in the safeguards contingency plan and to make no changes which decrease the effectiveness of the plan without prior approval of the Commission. A licensee desiring to make such changes is required to submit an application to the Commission. A licensee is required to maintain records of changes to the plan made without prior Commission approval and to inform the Commission of each change within a specified period of time after the change is made.

Section 70.32(I) requires those licensees engaged in fuel processing and fabrication, scrap recovery, or conversion of uranium hexaflouride, to follow and maintain in effect an emergency plan approved by the Commission. Licensees may make changes to the approved plan without prior Commission approval only if such changes do not decrease the effectiveness of the plan and the plan as changed continues to meet specified requirements. Licensees are required to submit a report to the Commission which describes each change made to the plan within six months after the change is made. Licensees desiring to make changes that would decrease the effectiveness of the approved emergency plan are required to submit an application to the Commission for approval.

Section 70.38(d) requires that each licensee notify the Commission in writing within 60 days if (1) the license has expired, (2) the licensee decides to cease principal activities, (3) no principal activities have been conducted for 24 months at the site or, (4) no principal activities have been conducted for 24 months in any separate building or outdoor area suitable for unrestricted used. If the licensee is required to have a decommissioning plan, such plan must be submitted within 12 months of notification. This information is needed to enable the Commission to ensure that plans for decommissioning adequately protect the environment and the health and safety of the public.

<u>Section 70.38(e)</u> permits the licensee, following approval of the decommissioning plan, to reduce the amount of financial assurance as decommissioning proceeds. The NRC reviews any request for reduction of the amount of financial assurance to verify that the licensee will have adequate funds to

ensure that its facility will be clear of all radioactive material and, consequently, suitable for unrestricted use.

<u>Section 70.38(f)</u> permits the NRC to grant a request to delay or postpone initiation of a licensee's decommissioning process. Licensees are required to submit such requests no later than 30 days before notification of decommissioning actions and plans required by Section 70.38(d) so that the NRC can review the request to determine if such relief is not detrimental to public health and safety.

Section 70.38(g)(1) requires that licensees submit a decommissioning plan if required by license condition or the decommissioning procedures and activities have not previously been approved by the NRC and the procedures could increase potential health and safety impacts to workers or the public. Submittal of the decommissioning plan is necessary for NRC to evaluate any health and safety impacts.

<u>Section 70.38(g)(2)</u> provides for NRC approval of an alternate schedule for submittal of a decommissioning plan. The NRC will review the alternate schedule to determine if it is necessary for the effective conduct of decommissioning operations and presents no undue risk from radiation to public health and safety.

Section 70.38(g)(4) requires that the decommissioning plan include: (I) a description of the current conditions of the site, building, or outdoor area to be decommissioned, (ii) a description of planned decommissioning activities, (iii) a description of methods to protect workers and the environment against radiation hazards during decommissioning, (iv) a description of the planned final radiation survey, (v) an updated detailed cost estimate for decommissioning, comparison of that estimate with current funds set aside for decommissioning, and a plan for assuring the availability of adequate funds for completion of decommissioning, and (vi) a justification for a delay in completing decommissioning later than 24 months after plan approval.

This information is needed by the Commission to more fully assess the risk of the environmental impact of decommissioning activities and to plan its involvement in decommissioning oversight and ultimate termination of the license or modification of the license to exclude the decommissioned areas. It is also needed to determine whether a delay in decommissioning warrants relief and is in the public interest. The burden for this requirement is included in the burden for §70.38(g)(1) above.

Section 70.38(I) provides for NRC approval of an alternate schedule for completion of decommissioning of the site or separate building or outdoor area, and license termination if appropriate. The NRC will review the alternate schedule to determine if it is necessary for the effective conduct of decommissioning operations and presents no undue risk from radiation to public health and safety.

<u>Section 70.38(i)</u> contains the information that licensees must submit to the NRC as the final step in decommissioning. This includes certifying the disposition of all licensed material, on NRC Form 314 or equivalent, and submitting a report on the results of a survey of the premises. This information is necessary for NRC to evaluate whether the license is suitable for termination.

Section 70.39(a) requires that an applicant for a specific license to manufacture or initially transfer calibration or reference sources containing plutonium, for distribution to general licensees, must submit information concerning the form and quantity of the plutonium, details of construction and design, method of incorporation and binding of the plutonium in the source, procedures for and results of prototype testing of sources, quality control procedures for manufacture of sources, description of labeling of sources or storage containers, and any additional information, including

experimental studies and tests conducted. The information will be used by NRC to determine the safety of the source.

Section 70.39(b) requires that licensees affix a label to each source or storage container which must provide information as to safe use and storage, a statement that the source contains radioactive material and is subject to a general license and regulations of NRC or an Agreement State, and the information is necessary to put persons handling the device on notice that it contains radioactive material and is subject to regulation, and so that if the source is lost or there is an accident, the appropriate party may be contacted for vital information to determine the degree of possible hazard.

Section 70.42(c) requires that, before transferring special nuclear material to a specific licensee or a general licensee who is required to register prior to receipt, the transferor must verify that the transferred.

Section 70.42(d) specifies methods acceptable to the Commission for accomplishing the required verification, including:

- (1) The transferor may have in his possession, and read, a copy of the transferee's specific license or registration certificate.
- (2) The transferor may have a written certification by the transferee that the transferee is authorized by license or registration certificate to receive the type, form, and quantity of special nuclear material to be transferred, specifying the license or registration number, issuing agency, and expiration date.
- (3) For emergency shipments, the transferor may accept oral certification from the transferee, provided it is confirmed in writing within 10 days.
- (4) The transferor may obtain other sources of information compiled by a reporting service from official records of the Commission or Agreement State licensing agency.
- (5) When other methods are not available, the transferor may obtain and record confirmation from the Commission or Agreement State licensing agency.

The information required by Sections 70.42(c) and (d) is used by transferring licensees to provide assurance that the licensed special nuclear material is being transferred to a person who is authorized to receive it. This verification serves as an additional check to prevent transfer of special nuclear material to persons who may not have the facilities, training, experience, equipment or procedures necessary for the safe handling of the material. Records of these certifications will be complying with verification requirements.

Section 70.50(a) requires each licensee to notify NRC as soon as possible but not more than 4 hours after discovery of an event that prevents immediate protective actions necessary to avoid overexposure to or release of radioactive material. The information will be used by NRC to determine whether immediate response or corrective action is needed to protect public health and safety.

Section 70.50(b) requires each licensee to notify NRC within 24 hours after the discovery of an event involving unplanned contamination, safety equipment failures, personal injury to an individual with radioactive contamination of clothing or body, or fire or explosion. The information will be used by NRC to determine whether immediate response or corrective action is needed to protect public health and safety.

Section 70.50(c)(2) requires each licensee to submit a written followup report within 30 days of the initial report. Written reports prepared pursuant to other regulations may be submitted to fulfill this requirement if they contain the necessary information. These reports are used by NRC to determine whether additional measures are necessary to protect the public health and safety and to determine whether patterns exist that might indicate poor design, fabrication, or operation requiring corrective action.

Section 70.51(b) requires each non-exempted licensee to maintain records showing the receipt, inventory (including location), disposal, acquisition, and transfer of all special nuclear material in the licensee's possession. These records are reviewed by NRC inspectors to detect diversion of special nuclear material and to implement prompt action in the event of a diversion. (Licensees subject to the recordkeeping requirements of 10 CFR §§74.31, 74.33, and 74.59 are exempted).

Section 70.51(b)(6) requires that licensees forward to the NRC Regional Office records pertaining to decommissioning, offsite releases, and waste disposal prior to license termination. This forwarding of records is necessary to ensure that adequate information will be available to evaluate offsite consequences, and to ensure that the site is decommissioned effectively.

Section 70.51(b)(7) requires that licensees transfer to the new licensee records pertaining to decommissioning, offsite releases, and waste disposal prior to license transfer or reassignment. The new licensee then becomes responsible for maintaining these records until license termination. This transferring of records is necessary to ensure that adequate information will be available to effectively decommission the facility.

Section 70.51(c) requires each licensee who is authorized to possess at any one time more than one effective kilogram of special nuclear material to establish, maintain, and follow written material control and accounting procedures sufficient to enable the licensee to account for the special nuclear material in its possession under license. The procedures will be reviewed by the NRC licensing and inspection staff in order to determine whether the procedures are adequate to prevent diversion of the nuclear material and to implement prompt action in the event of a diversion.

Section 70.51(d) requires each licensee who is authorized to possess at any one time and location more than 350 grams of specified special nuclear material to at least annually conduct a physical inventory of all special nuclear material possessed. This information is used by the licensee and the NRC staff to detect diversion of the special nuclear material and to initiate prompt action in the event of a diversion.

Section 70.51(e) requires each licensee who is authorized to possess at any one time special nuclear material in a quantity exceeding one effective kilogram with certain exceptions to maintain procedures for the safeguarding of the material, conduct physical inventories, and maintain a system of material control and accountability records. These records are used by the licensee and the NRC staff to detect diversion of the nuclear material and to implement prompt action in the event of a diversion.

<u>Section 70.51(f)</u> requires each licensee covered under Section 70.51(e) to establish physical inventory procedures. The records of these procedures are reviewed by the NRC licensing and inspection staff to determine whether the procedures are adequate to prevent diversion of the nuclear material and to implement prompt action in the event of a diversion.

<u>Section 70.52(a)</u> requires that a licensee report an accidental criticality or any loss of special nuclear material to the NRC Operations Center within one hour of discovery. This information is necessary to promptly inform NRC of particularly serious maloperations or accidents in licensed facilities or activities. The information is evaluated by NRC to determine whether any immediate response or corrective action may be necessary.

Section 70.52(b) requires that any theft or attempted theft or other unlawful diversion of significant amounts of special nuclear material must be reported to the NRC Operations Center within one hour of discovery. This information is used by the NRC staff to implement prompt action to determine whether there has been a diversion or other loss of material and to initiate prompt action in the event of such diversion or loss.

<u>Section 70.53(a)</u> requires completion and submission of material balance reports and material status reports in accordance with the provisions of Section 74.13. Section 74.13 has been previously cleared under OMB Clearance No. 3150-0123, which should be referred to for further supporting information, burden and cost data.

Section 70.53(b) requires each licensee covered under Section 70.51(e) to follow the requirements of Sections 74.13 (Material Status Report) and 74.17 (Special Nuclear Material Physical Inventory Summary Report). Sections 74.13 and 74.17 have been previously cleared under OMB Clearance No. 3150-0123. The Material Status Report required by §74.13 is submitted on DOE/NRC Form 742, which has been previously cleared under OMB Clearance No. 3150-0004. The Special Nuclear Material Physical Inventory Summary Report required by §74.17 is submitted on DOE/NRC Form 327, which has been previously cleared under OMB Clearance No. 3150-0139. The foregoing clearances should be referred to for further supporting information, burden and cost data.

Section 70.54 requires each licensee who transfers and each licensee who receives special nuclear material to follow the requirements of Section 74.15, which requires completion and distribution of Nuclear Material Transaction Reports, DOE/NRC Form 741. The information will be used by the NRC staff to determine whether there is loss or diversion of special nuclear material and to implement action in the event of such loss or diversion. Section 74.15 has been previously cleared under OMB Clearance No. 3150-0123 and DOE/NRC Form 741 has been previously cleared under OMB Clearance Number 3150-0003. Those clearances should be referred to for further supporting information, burden and cost data.

Section 70.57(b) requires that each licensee authorized to possess, at any one time and location, strategic special nuclear material in irradiated fuel reprocessing operations, or special nuclear material of moderate strategic significance in a quantity in excess of one effective kilogram, with the exception of sealed sources and reactor or waste disposal operations, establish and maintain a measurement control program in accordance with specified criteria, including provisions for recording and reporting data and results of audits, analyses and studies to management. The program is needed to assure the quality of material control and accounting measurements. The information is used by the licensee to carry out its measurement control and accounting operations and is reviewed by NRC inspectors to ensure the adequacy of the licensee's measurement control and accounting programs and compliance with NRC regulations. The information is also necessary

to ensure that the licensee can rapidly and accurately determine the amount of SNM in its control and identify any potential diversion of that material.

Section 70.57(c) requires that applicants and licensees subject to the provisions of Section 70.57(b) submit for Commission approval a detailed plan describing the program for compliance with those provisions. The submittal would be used by the NRC staff to ensure the adequacy of the licensee's measurement control program for special nuclear material. All current licensees have submitted such plans. There have been no new applicants subject to this requirement for several years and none are anticipated in the next several years. The submittal would be required, however, for any new facility that were to come on line in the future.

Section 70.58 establishes fundamental nuclear material control requirements applicable to each licensee who is authorized to possess, at any one time and location, strategic special nuclear material in irradiated fuel reprocessing operations, or special nuclear material of moderate strategic significance in a quantity in excess of one effective kilogram, with the exception of sealed sources and reactor or waste disposal operations. The written procedures and records required to be maintained provide for (1) documentation of qualifications, authorities, responsibilities, and functional and organizational relationships of material control and accounting personnel, (2) records of reviews and audits of the nuclear material control system, (3) records of the shipper-receiver difference evaluations, investigations and corrective actions, and (4) documentation of the location of special nuclear material within the plant. These procedures and records provide a basis for licensee and NRC personnel to determine that the nuclear material control and accounting system is operating as required and to reconcile material accounting balances.

Section 70.59 requires that each licensee authorized to possess and use special nuclear material for processing and fuel fabrication, scrap recovery, conversion of uranium hexaflouride, or in a uranium enrichment facility, must submit semiannual reports to NRC specifying the quantity of each of the principal radionuclides released to unrestricted areas in liquid and gaseous effluents during the previous six months of operation, and such other information as the Commission may require to estimate maximum potential annual radiation doses to the public resulting from effluent releases. The reports will be reviewed by NRC and, if releases are significantly above design objectives, a determination will be made as to whether it may be necessary to direct the licensee to take action to reduce such effluents to protect public health and safety.

Draft Regulatory Guide DG-3008 provides guidance on an acceptable nuclear criticality safety training program to meet the requirements of Section 70.23, which specifies that an application will be approved if, among other things, the Commission determines that the applicant is qualified by reason of training and experience to use the material for the purpose requested. DG-3008 adopts ANSI/ANS-8.20-1991, "Nuclear Criticality Safety Training," a standard for nuclear criticality training developed and approved by the nuclear industry. The standard includes provisions for description of the facility's nuclear criticality safety policy, establishment of training objectives, instructional materials, a framework of training program content, criteria for documentation and evaluation, and maintenance of records of training. The industry standard specifies that the training records should be retained for four years or longer. The information regarding the training program is needed to ensure that employees are properly trained in fissionable material operations outside reactors in circumstances in which a potential exists for criticality accidents. The burden and cost associated with the submission of this information is covered by Section 70.21(a), above.

2. Agency Use of the Information

The records that 10 CFR Part 70 requires the licensees to maintain are reviewed during inspections, license renewals, and license amendment reviews to evaluate compliance with NRC safety and safeguards requirements for possession and use of special nuclear material.

The records of receipt, transfer, and disposal of special nuclear material are reviewed by the NRC inspectors to determine that licensees have confined their possession and use of special nuclear material to the locations, purposes, receipt, and quantities authorized in their licenses.

Reports of significant safety or safeguards events and theft of radioactive material are used by the agency in evaluating the protective actions required to maintain control of fissionable material and to avoid exposures to radiation or releases of radioactive materials that could exceed regulatory limits and, therefore, impact public health and safety, the common defense and security, and the environment.

Bankruptcy reports, decommissioning plans, decommissioning funding plans, and certifications of financial assurance for decommissioning are reviewed by the NRC to ensure that a licensee has adequate procedures and funds for any necessary cleanup efforts before a licensee's responsibility for special nuclear materials is terminated and the site is released for unrestricted use.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. Certain reports, such as transaction reports and inventory reports, are produced by some licensees using automated information technology. Licensees are encouraged to use automated information technology whenever it will reduce the burden on them. However, because of the types of information and the infrequency of submission, the applications and other reports may not lend themselves readily to the use of automated information technology for submission.

A substantial number of reports made pursuant to the requirements of Part 70 are material control and accounting reports, using DOE/NRC Forms 741/741A, 742, 742C, and 740M. However, those forms each have separate OMB clearances, and the electronic submittal rate for those reports, as well as other supporting information, will be reported separately under those clearances, which are listed below. With the exception of those submittals, other information collections under Part 70 are generally not submitted electronically, because of the types of information and the infrequency of submission, so the percentage of electronic submittals reported for Part 70 in this clearance request is zero.

DOE/NRC Form 740M OMB Clearance No. 3150-0057

DOE/NRC Form 741 OMB Clearance No. 3150-0003

DOE/NRC Form 742 OMB Clearance No. 3150-0004

DOE/NRC Form 742C OMB Clearance No. 3150-0058

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched to determine duplication. None was found. In general, information required by NRC in reports or records

concerning the transfer, receipt, possession, or use of special nuclear material does not duplicate other Federal information collection requirements and is not available from any other source. In an effort to minimize duplication and licensee burden, NRC and the Department of Energy (DOE) jointly utilize a Nuclear Materials Management and Safeguards System (NMMSS). Common reporting forms are used to minimize the reporting burden on industry members required to provide nuclear materials data to one or both agencies in accordance with prevailing regulations or contractual obligations. The licensee is thus able to file one report to meet the requirements of both agencies.

There is a small amount of duplication in that, upon termination of licensed operations by a licensee, NRC requires the licensee to file NRC Form 314, reporting the transfer or other disposition of any remaining licensed material, and the date of transfer. This transfer must also be reported on DOE/NRC Form 741. This small duplication imposes a minimal burden on licensees, and is necessary to maintain accountability of licensed material in NMMSS and to permit NRC to make a determination whether the facility has been cleared of radioactive material and is suitable for release for unrestricted use or whether additional decontamination measures may be required.

Effort to Reduce Small Business Burden

Some of the licensees who use special nuclear material are small businesses. However, since the health and safety consequences of improper handling or use of 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 reporting, recordkeeping, or accounting and control procedures.

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

If the information included in the applications, reports and records were not collected, the NRC staff would not be able 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 in order to make licensing and other regulatory decisions related to special nuclear material.

Required reports are collected and evaluated on a continuing basis as events occur. Applications for new licenses and amendments are submitted only once. Applications for renewal of licenses are submitted every five years, or every ten years for fuel cycle facilities. Information submitted in previous applications may be referenced without being resubmitted. The schedule for collecting the information is the minimum frequency necessary to assure that licensees will continue to conduct programs in a manner that will assure adequate protection of the public health and safety.

7. Circumstances Which Justify Variation from 0MB Guidelines

Contrary to the OMB Guidelines in 5 CFR 1320.5(d), Section 70.9(b) requires that licensees submit a notification to NRC in less than thirty days from the date of identifying information having significant implications for the public health and safety or the common defense and security and which is not covered by other reporting requirements. The requirement to provide notification within two working days following the identification of the information is necessary to ensure that NRC is made aware of the significant safety information so as to take prompt effective action to protect the public health and safety.

Section 70.20b(f) requires that licensees notify NRC by telephone that written notification has been sent concerning transient shipments with scheduled stops at U.S. ports. This prompt notification is

needed to enable NRC to ensure that sufficient protection will be provided for the material being transported.

Section 70.20b(g) requires that persons generally licensed under Section 70.20b making unscheduled stops at U.S. ports must immediately provide to NRC the information required under Section 70.20b(f). This immediate notification is needed to permit the NRC staff to ensure that the transportation plan for transient shipments of formula quantities of special nuclear material with unscheduled stops at U.S. ports is sufficient to protect the material being transported.

Contrary to the OMB Guidelines in 5 CFR 1320.5(d), Section 70.21 requires that licensees submit more than an original and two copies of certain documents. For most reporting requirements, only one copy need be submitted. However, for applications for a special nuclear material license, Section 70.21 requires that six copies be filed, except that for an application for a plutonium processing and fuel fabrication plant, or for a uranium enrichment facility, 25 copies must be filed. The complexity of NRC's review and decision making process necessitates the filing of multiple copies by applicants. The application may be extremely complex, consisting of multiple foldouts, engineering drawings, and other printed material of various sizes that is difficult for NRC to reproduce properly or quickly. The NRC reviews typically involve numerous technical reviewers within the Office of Nuclear Material Safety and Safeguards. In addition, documentation must be provided for concurrent review by other NRC offices, technical consultants and contractors, and other participants in the proceeding. The complexity of the review, the need for concurrent review, and the need for timely completion of the review, dictate the requirement for multiple copies. Delays resulting from an insufficient number of copies would have a much more deleterious impact on applicants than the requirement for multiple copies.

Contrary to the OMB Guidelines in 5 CFR 1320.5(d), Section 70.32(a)(9) requires that licensees submit a notification to NRC in less than thirty days from the date of filing of a petition in bankruptcy. The requirement to provide notification promptly following the filing of the petition is necessary to ensure that NRC is made aware of the bankruptcy so as to take effective action to protect the public health and safety. Allowing a period of thirty or more days to elapse might preclude NRC from becoming aware of the licensee's distressed financial circumstances in time to prevent the development or aggravation of a potential hazard to the public. Moreover, the United States Code contains requirements regarding notification of creditors in bankruptcy. Section 70.32(a)(9) would require one additional notification. Notifying NRC promptly after the filing of the petition would in fact be less of a burden on the bankrupt than a separate notification later in the proceedings.

Section 70.50(a) requires each licensee to notify NRC as soon as possible but not more than 4 hours after discovery of an event that prevents immediate protective actions necessary to avoid overexposure to or release of radioactive material. This immediate notification is necessary to inform NRC of serious incidents in licensed facilities or activities. The information will be used by NRC to determine whether immediate response or corrective action is needed to protect public health and safety.

Section 70.50(b) requires each licensee to notify NRC within 24 hours after the discovery of an event involving unplanned contamination, safety equipment failures, personal injury to an individual with radioactive contamination of clothing or body, or fire or explosion. This immediate notification is necessary to inform NRC of serious incidents in licensed facilities or activities. The information will be used by NRC to determine whether immediate response or corrective action is needed to protect public health and safety.

Section 70.52(a) requires that a licensee report an accidental criticality or any loss of special nuclear material to the NRC Operations Center within one hour of discovery. This immediate notification is necessary to promptly inform NRC of particularly serious maloperations or accidents in licensed facilities or activities. The information is evaluated by NRC to determine whether any immediate response or corrective action may be necessary.

Section 70.52(b) requires that any theft or attempted theft or other unlawful diversion of significant amounts of special nuclear material must be reported to the NRC Operations Center within one hour of discovery. This immediate notification is necessary to permit the NRC staff to implement prompt action to determine whether there has been a diversion or other loss of material and to initiate prompt action in the event of such diversion or loss.

Draft Regulatory Guide DG-3008 adopts ANSI/ANS-8.20-1991, "Nuclear Criticality Safety Training," a standard for nuclear criticality training developed and approved by the nuclear industry. The industry standard specifies that employee training records should be retained for four years or longer. The extended retention period is needed to ensure that records of employee nuclear criticality safety training will be available for inspections and for subsequent evaluation in the event of an incident or accident.

8. Consultations Outside the NRC

An invitation to comment on the information collection requirements in 10 CFR Part 70 was published in the <u>Federal Register</u> on February 25, 1998 (63 FR 9560). There were no comments.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

None, except for proprietary and safeguards information.

11. Sensitive Questions

None.

12. Estimated Burden and Burden Hour Cost

Reporting		_	
Section	Submittals Annually	Respondent Hrs Per Submittal	Total Annual Respondent Burden
70.9(b)	43	1	43
70.14(a)	1	40	40
70.19(c)(2)	- Included in 7	70.39(b)	
70.20a(d)	6	40	240
70.20a(e)	- See OMB CI	earance No. 3150-000	02
70.20b(f)	10	4	40
70.20b(g)	1	4	4
70.21(a)	258	236	60,888
70.21(f)	- See OMB Clearance No. 3150-0021		
70.21(g)	- See OMB Clearance No. 3150-0056		56
70.21(h)	- See OMB Clearance No. 3150-0021		
70.22(a) thru (m)	- Included in 70.21(a)		
70.22(a)(9)	- Included in 70.25		
70.25 Certification	1	100	100
Funding Plan	5	300	1,500
70.32(a)(9)	1	1	1
70.32(c)(1)	- Included in 7	0.21(a)	
70.32(c)(2)	30	13.3	400
70.32(d)	1	16	16
70.32(e)	30	80	2,400
70.32(g)	5	80	400
70.32(i)	1	16	16

Estimate of Compliance Burden (contd.)

Reporting (cont'd)

Section	Submittals Annually	Respondent Hrs Per Submittal Res	
70.33(a)	- Included in 70.21(a)		
70.34	- Included in 70.21(a)		
70.38(d)	6	1	6
70.38(e)	6	40	240
70.38(f)	2	40	80
70.38(g)(1)	4	1,000	4,000
70.38(g)(2)	2	40	80
70.38(g)(4)	- Included in 70.38(g)(1)		
70.38(i)	- See OMB Clearance No. 3150-0028		
70.38(j)	6	300	1,800
70.39(a)	- Included in	70.21(a)	
70.39(b)	600	0.1	60
70.50	30	4	120
70.52(a)	1	16	16
70.52(b)	1	16	16
70.53(a)	- See OMB Clearance Nos. 3150-0004 and 3150-0058		
70.53(b)	- See OMB Clearance Nos. 3150-0004 and 3150-0139		
70.54	- See OMB Clearance	No. 3150-0003	
70.57(c)	0	N/A	0
70.59	72	5.14	370
DG-3008	- Included in	70.21(a)	
TOTAL	1,123		72,876

Estimate of Compliance Burden (cont'd)

Recordkeeping Requirements

Section	Recordkeepers	Annual Hrs Per Recordkeeper	Total Hrs	Record Retention Period
7O.22(g)-(k)	2	200	400	Varies - 3 yrs to duration of license
70.24(a)(3)	100	7.6	760	Varies - 3 yrs to duration of license
70.25(g)	210	3	630	Duration of license
70.32(c)(2)		Included in 70.58		3 yrs
70.32(d)	2	0.5	1	Duration of possession of matl
70.32(e)	55	0.2	11	3 yrs
70.32(g)	5	0.2	1	Duration of license
70.42(c) & (d)	100	10	1,000	3 yrs
70.51(b)		- Included in 70.5	8	Varies - 3 yrs to duration of license
70.51(b)(6)	125	2	250	No retention after transfer
70.51(b)(7)	5	2	10	No retention after transfer
70.51(c)		- Included in 70.5	8	Duration of license 3 yrs for changes
70.51(d)	200	8	1,600	Duration of possession of mati plus 3 yrs
70.51(e)		- Included in 70.5	8	3 yrs
70.51(f)		- Included in 70.5	8	3 yrs
70.57(b)	1	16	16	Varies - 3 yrs to duration of license

Recordkeeping Requirements (cont'd)

Section 70.58	Recordkeepers	Annual Hrs Per Recordkeeper	Total Hrs	Record Retention Period
70.56	1	120	120	Varies - 3 yrs to
DG-3008	8	0.0		duration of license
Total number -	,	20	160	4 yrs
, otal Humber o	of recordkeepers:	210		

Total recordkeeping hours annually: 4,959

TOTAL BURDEN HOURS:

77,835

Cost to Respondents to Comply

	2011 PIY
Section	Cost
70.9(b)	\$5,375
70.14(a)	5,000
70.19(c)(2)	- Included in 70.39(b)
70.20a(d)	30,000
70.20a(e)	
70.20b(f)	- See OMB Clearance No. 3150-0002
	500
70.20b(g)	500
70.21(a)	7,611,000
70.21(f)	- See OMB Clearance No. 3150-0021
70.21(g)	- See OMB Clearance No. 3150-0056
70.22(a) thru (k)	- Reporting included in 70.21(a) - Recordkeeping: 50,000
70.24(a)(3)	95,000
70.25	278,750

Cost to Respondents to Comply (cont d)

Section	Cost
70.32(a)(9)	125
70.32(c)(1)	- Included in 70.21(a)
70.32(c)(2)	50,000
70.32(d)	2,125
70.32(e)	301,375
70.32(g)	50,125
70.32(1)	2,000
70.33(a)	- Included in 70.21(a)
70.34	- Included in 70.21(a)
70.38(e)	30,000
70.38(f)	10,000
70.38(g)(1)	500,000
70.38(g)(2)	10,000
70.38(g)(4)	- Included in 70.38(g)(1)
70.38(I)	- See OMB Clearance No. 3150-0028
70.38(j)	225,000
70.39(a)	- Included in 70.21(a)
70.39(b)	7,500
70.42(c) & (d)	125,000
70.50	15,000
70.51(b)	- Included in 70.58
70.51(b)(6)	31,250
70.51(b)(7)	1,250
70.51(c)	- Included in 70.58

Cost to Respondents to Comply (cont d)

Section	Cost
70.51(d)	200,000
70.51(e)	- Included in 70.58
70.51(f)	- Included in 70.58
70.52(a)	2,000
70.52(b)	2,000
70.53(a)	- See OMB Clearance Nos. 3150-0004 and 3150-0058
70.53(b)	- See OMB Clearance Nos. 3150-0004 and 3150-0139
70.54	- See OMB Clearance No. 3150-0003
70.57(b)	2,000
70.57(c)	0
70.58	15,000
70.59	46,250
DG-3008	20,000
TOTAL	60 704 425
TOTAL	\$9,724,125

Source of Burden Data and Method for Estimating Costs

The estimates are based on submittals to NRC in past years and on the Caseload Forecast, which is a projection of applications expected to be received. Cost to applicants and licensees is calculated at a rate of \$125 per hour, which includes overhead.

13. Estimate of Other Additional Costs

None. For licensees under 10 CFR Part 70, it is most likely that purchases of equipment and services were made (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

14. Estimate of Cost to the Federal Government

Part of the cost incurred under 10 CFR Part 70 is attributable to activities under other regulations or to the review and handling of the following reporting forms, and has been reported to OMB in connection with the clearance of those forms and regulations:

NRC Form 314	OMB Clearance No. 3150-0028
NRC Form 327	OMB Clearance No. 3150-0139
DOE/NRC Form 741	OMB Clearance No. 3150-0003
DOE/NRC Form 742	OMB Clearance No. 3150-0004
DOE/NRC Form 742C	OMB Clearance No. 3150-0058
IAEA Form N-71	OMB Clearance No. 3150-0056
10 CFR Part 51	OMB Clearance No. 3150-0021
10 CFR Part 73	OMB Clearance No. 3150-0002
10 CFR Part 74	OMB Clearance No. 3150-0123

It is estimated that the NRC cost to review an application for a license to construct and operate a uranium enrichment facility would be \$3,750,000 (30,000 staff hours x \$125/hour). The estimated cost of NRC professional review and other efforts other than those attributable to the above items is \$4,375,000 (17.5 staff years x \$125/hour). The total cost to the Government would be therefore be \$8,125,000. This cost is fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Change in Burden or Cost

The net change in burden of 5,365 hours results primarily from a decrease in the estimated number of submittals of certifications and funding plans (reduction of 81) for financial assurance for decommissioning which is based on staff experience with submittals received since the previous clearance (see 70.25, -2,126 hours), a decrease in the frequency of renewals (see 70.21(a), -15 renewals, -3,740 hours), and an increase in the burden per response for the added requirements for documentation for termination or transfer of licensed activities (see 70.38 (d)-(j), +1,178 hours), which were approved by OMB and codified in the Code of Federal Regulations since the previous clearance of Part 70. There are minor burden modifications of -677 hours which are new estimates based on staff experience since the previous clearance. The net decrease in cost to the public results from a decrease in the fee rate from \$132 to \$125 per hour.

16. Publication for Statistical Use: None.

17. Reason for Not Displaying Expiration Date

The requirements will be contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement: None.

B. Collection of Information Employing Statistical Methods

Statistical methods are not used in this collection of information.