

FINAL SUPPORTING STATEMENT
FOR
PLANNED POWER UPRATE-RELATED LICENSING SUBMITTALS FOR ALL POWER
REACTOR LICENSEES
(3150-XXXX)

NEW

Description of the Information Collection

During the budget development process, the U.S. Nuclear Regulatory Commission (NRC) allocates resources based on an assumed number of licensing actions of certain types (e.g., license amendments, exemptions, relief requests) that will be submitted for that fiscal year. To the degree that these assumptions do not correlate to incoming requests, the agency's budget estimates can be significantly incorrect in either total resources, specific skill sets, or both. This ultimately impedes the NRC's ability to process licensing actions on a timely basis and can cause a significant delay in processing licensing actions when the required resources are not available.

NRC regulates the maximum power level at which a commercial nuclear power plant may operate. This power level is used, with other data, in many of the licensing analyses that demonstrate the safety of the plant. This power level is included in the license and technical specifications for the plant. NRC controls any change to a license or technical specification, and the licensee may only change these documents after NRC approves the licensee's application for change. The process of increasing the maximum power level at which a commercial nuclear power plant may operate is called a power uprate.

The NRC understands that there is a potential increase in license amendment submittals requesting a power uprate resulting from the recent passage of the Inflation Reduction Act. To more accurately forecast the resources needed to complete requested licensing actions, the NRC is asking that all power reactor licensees voluntarily provide information regarding power uprate-related licensing actions they plan to submit for NRC review. The responses to this request are not binding and can be updated as needed. This information will enable the agency to better meet its performance and timeliness goals under the agency's strategic plan.

To adequately capture the resource impact of the potential power uprate-related licensing reviews, the NRC is requesting that licensees provide the information requested. Based on the information received, the NRC will determine the complexity of the review and the technical skill set needed to perform the review and develop preliminary review schedules. The NRC will use this information in planning for future workload and as the basis for allocating future technical resources.

A. JUSTIFICATION

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

The NRC is issuing this regulatory issue summary (RIS) to request information on planned power uprate-related licensing submittals for all power reactor licensees. Submittal of the requested information is strictly voluntary. No specific action or written response is required.

This RIS is intended to promote early communication with the NRC licensees regarding planned power uprate related licensing activities. This information will assist the NRC in budgeting for and allocating its resources. This RIS does not transmit requirements, imply new requirements, change requirements, or amend the staff position on current requirements. Although no specific action or written response is required, submission of the requested information will enable the agency to more efficiently and effectively plan its licensing work.

2. Agency Use of Information

The NRC is issuing this RIS to assist the NRC in the following:

- determining resource and budget needs with respect to future licensing action submittals pertaining to power uprates anticipated under 10 CFR Part 50 and 10 CFR Part 52.
- planning the technical resources needed to review power uprate-related licensing activities.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. 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), or by e-mail. It is estimated that approximately 100% of the potential responses are filed electronically.

4. Effort to Identify Duplication and Use Similar Information

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

5. Effort to Reduce Small Business Burden

None of the potential applicants responding to this collection are small businesses.

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

If the information is not collected, the NRC will be unable to inform its budget and resource planning for the review of Power Uprate license amendment request applications. This could cause the NRC to be less efficient in scheduling its resources for reviewing these requests and cause the completion of the reviews to not be timely. This schedule is the minimum frequency necessary for the NRC to update its budget and resource planning as submittal schedules change.

7. Circumstances Which Justify Variation from OMB Guidelines

Not applicable.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the Federal Register on April 29, 2024 (89 FR 33402). Additionally, NRC staff contacted seven stakeholders via email. The stakeholders were operating reactor owner/operator licensee's and industry representatives from Ameren, Constellation Energy, Duke-Energy, Entergy, Luminant, Tennessee Valley Authority and Vistra Corp.

Staff received the following comment from a member of the public, no additional responses were received because of the FRN or the staff's direct solicitation for comment:

Comment:

I support this data collection as it allows the agency to plan future resources dedicated to power uprates.

NRC staff response:

Agree.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b).

11. Justification for Sensitive Questions

No sensitive information is required.

12. Estimated Burden and Burden Hour Cost

The RIS will be sent to holders of Part 50 operating licenses or Part 52 combined licenses (COL) holder sites for nuclear power reactors, except those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel. There are 54 operating reactor sites and 5 COL holder sites that are expected to potentially respond to the survey. The reactor licensees that will respond to the survey are expected to provide one response for all units at sites with multiple units with an indication of whether the requested information is applicable to all units or select units, and if so, which ones. Based on interactions with industry, the NRC anticipate modest response from reactor licensees. The burden to the public for this voluntary information collection to respond to the survey is estimated to average 20 hours per response. Because the industry may voluntarily submit updates the NRC estimates that it will receive responses in the second and third years of the clearance period, (5.33 respondents, 16 responses total). The staff anticipates on average 5.33 responses per year (6 in year 1 + 5 in year 2 + 5 in year 3). The total annualized burden for the collection is 107 hours and 5.33 responses, (see burden spreadsheet) at a cost of \$32,100 (107 hours x \$300/hr.)

Burden estimates for each year in the clearance cycle are included in the supplemental burden spreadsheet.

	Hours	Responses
Year 1	120	6
Year 2	100	5
Year 3	100	5
Annual Average	107	5.33

The \$300 hourly rate used in the burden estimates is based on the Nuclear Regulatory Commission’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 2023 (88 FR 39120, June 15, 2023).

Additionally, there are no recordkeeping requirements imposed in this clearance.

13. Estimate of Other Additional Costs

No other additional costs are anticipated.

14. Estimated Annualized Cost to the Federal Government

The staff has developed estimates of annualized costs to the Federal Government related to the conduct of this collection of information. These estimates are based on staff experience and subject matter expertise and include the burden needed to review, analyze, and process the collected information and any relevant operational expenses.

The annualized cost to the government is estimated to be \$32,100 (107 staff hours x \$300/hr).

15. Reasons for Change in Burden or Cost

The request is a new OMB Clearance.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.

GUIDANCE DOCUMENTS FOR INFORMATION COLLECTION REQUIREMENTS
RELATED TO
POWER UPRATE
(3150-XXXX)
NEW

Title	Accession No.
RS-001 Review Standard for Extended Power Uprates	ML033640024
RIS 2007-24 "NRC Staff Position on Use of the Westinghouse Crossflow Ultrasonic Flow Meter for Power Uprate or Power Recovery"	ML063450261
RIS 2002-03 "Guidance on the Content of Measurement Uncertainty Recapture Power Uprate Applications"	ML013530183
LIC-101, "LAR Review Procedures"	ML19248C539
LIC-112, R.2 "Power Uprate Process"	ML19254A627
"Standard Review Plan" NUREG-0800 Chapter 19.2 "Severe Accidents"	ML071700658