

Draft Guidance for Electronic Submissions to the Commission
NOTE: This appendix will not be printed in the Code of Federal Regulations

Appendix A
United States Nuclear Regulatory Commission (NRC)
Guidance for Electronic Submissions to the Commission

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1.0 Introduction

1.1 Background

On (insert the date of publication in the Federal Register), the Nuclear Regulatory Commission (NRC) promulgated a direct final rule on electronic submission of information to the agency. This rule modified many NRC regulations to explicitly authorize electronic communications with the agency. The final rule stated that the NRC would issue specific guidance on acceptable procedures for electronic submissions. That guidance is contained in this document. This guidance document is the controlling source of information on electronic submissions to the NRC and supersedes *NRC Regulatory Issue Summary 2001-05, Guidance on Submitting Documents to the NRC by Electronic Information Exchange or on CD-ROM*, and the August 10, 2001, letter issued to certain fuel cycle facilities extending to them the option of electronic submissions in many instances. The NRC plans to update this guidance periodically to reflect changes in technology and agency experience. While the Commission encourages the submission of electronic documents, submission of paper documents remains acceptable.

1.2 Scope

This guidance document governs the electronic submission of documents to the NRC. It includes the required procedures for corresponding electronically with the NRC via the Internet using Electronic Information Exchange (EIE), by CD-ROM, or by e-mail. It also

includes procedures for corresponding by facsimile (fax). It does not address submission of other forms of electronic information (e.g., data files, computer models, and videos), and does not address outgoing NRC communications.

EIE software provides for the electronic submission of information to the NRC in a secure manner. It requires the use of digital signatures and certain software plug-ins. Procedures for acquiring a digital signature for communicating with the NRC via EIE can be found at Section 3.4, and procedures for acquiring the required software can be found at Section 3.5.

1.3 Applicable Transactions

Documents or other information submitted under oath or affirmation, or other documents where secure transfer is either required or appropriate, should be submitted over the Internet using EIE or submitted on CD-ROM. While e-mail is not appropriate for most submissions required by NRC regulations, e-mail may be used for certain other correspondence and communications with the NRC, such as rulemaking petitions and comments on rulemaking proceedings, collaborative communications with States and other Federal agencies, requests for enforcement actions under 10 CFR 2.206, and Freedom of Information Act (FOIA) requests and appeals, but not for information covered under the Privacy Act.

E-mail may be addressed to either specific individuals named as contacts in Federal Register Notices or other agency communications, or to the office specified in the regulation or communication specific to the document(s) being submitted; to addresses the NRC Web site provides for individual program offices or specific agency functions or services; or to the Office of Public Affairs. Individual program offices may be contacted through the NRC Web site at <http://www.nrc.gov> by selecting specific contact pages from "Contact Us" on the home page. The Office of Public Affairs may be contacted through the Contact Us on the home page or at OPA@nrc.gov (use upper case where indicated). Except for communications using EIE, the sender will not be e-mailed a confirmation of receipt of the submission.

1.3.1 Exceptions to Electronic Submission

All communications with the NRC may be submitted electronically via the Internet except for the following:

1. Classified information (i.e., National Security Information and Restricted Data), Safeguards Information, Sensitive Homeland Security Information, Privacy Information which is protected by the Privacy Act (5 USC 552(a)), Proprietary Information, or Official Use Only Information. This information may only be submitted electronically on CD-ROM.
2. "Immediate" or "prompt" notifications to the NRC that NRC regulations require be made by telephone, telefax or telegram up to one week before or after an event (e.g., 10 CFR 30.50 or 30.55(c)).
3. Notice of filing of bankruptcy petition, whether voluntary or involuntary

(e.g., 10 CFR 30.34(h)(1)).

4. Hearing requests, and documents pertaining to hearings or associated appeals, including, but not limited to, those associated with hearings conducted under 10 CFR Parts 2, 4, 10, 12, 13, 14, 16, 19, 25, 76, 81, 110, 140, and 150. Separate rules or guidance addressing procedures for electronic communications in hearings will be issued in the future for public comment, but it should be noted that the document format standards outlined in this guidance document subsequently may be determined to apply to documents submitted to agency adjudicatory dockets. It is conceivable that, as a result of a future rulemaking proceeding, the current format requirements in 10 CFR Part 2, Subpart J, for example, could be superseded by the document format standards presented in this guidance document. Accordingly, interested parties should consider the impact the approach outlined in this guidance could have on their preparation of materials for future submission. (Nothing in this guidance document precludes presiding officers from their current practice of authorizing electronic communications on a case-by-case basis.)

5. Documents served on the NRC as a participant in Federal Court proceedings or in non-NRC administrative proceedings (such as administrative proceedings before the Merit Systems Protection Board, unless electronic submission is authorized by rule or order issued by a Federal Court or Agency).

6. NRC contractor proposals or invoices submitted in response to specific contractual requirements. (Because Federal Acquisition Regulation guidance as contained in Section 30 of the Office of Federal Procurement Policy Act [41 USC 426] allows the Federal Government to use electronic commerce whenever practical, guidance for electronic submittal of proposals and invoices will be addressed in individual procurements. Further guidance for submission of these documents will be issued at a later date.)

7. Financial assurance instruments to meet decommissioning cost requirements and prescribed by regulation at 10 CFR 30.35(e), 40.36(e), and 70.25(f) (including surety bonds, letters of credit, lines of credit, and insurance).

8. Documents with special attributes. (See section 2.7)

9. Fingerprint cards (Form FD-258, ORIMDNRCOOOZ) required for criminal history checks under 10 CFR 73.57.

1.3.2 Electronic Forms and Payments

Each form referred to in the NRC regulations can be found on the NRC Web site at <http://www.nrc.gov> in PDF format for viewing and printing by selecting "Forms" from the Index found on the home page and Selecting the specific form required.

Financial payments required by regulations can be submitted electronically. Copies of NRC Form 628 to establish financial authorization electronically can be found at the NRC Web site at <http://www.nrc.gov> by selecting "Forms" from the index found on the home page. Payments by credit card of Part 171 annual fees, Part 170 licensing and inspection fees, civil penalties and other fees, may be done by

completing the authorization form included with the invoice or civil penalty. A copy of the form may be printed from the NRC Web site at <http://www.nrc.gov> by selecting "Forms" from the index found on the home page and selecting "NRC Form 629, Authorization for Payment by Credit Card."

1.3.3 Submissions Requiring Oath or Affirmation

Submissions requiring oath or affirmation may be submitted electronically using EIE or on CD-ROM. (See Sections 3.6 and 4.3.2 of this guidance document). These include the following:

1. Documents that by statute must be submitted under oath or affirmation (e.g., Section 182 of the Atomic Energy Act of 1954, as amended, 42 USC 2232). Generally, oath or affirmation requirements exist for applications for a license, amendments to a license, some licensee responses to Notices of Violation (NOV), and certain letters of transmittal. The NRC's regulations in 10 CFR Parts 2 and 50 implement these statutory requirements, and certain regulations require an oath or affirmation for submission of documents (see, e.g., 10 CFR 50.54(f) and 10 CFR 50.30(b)).
2. Documents that must be sent by certified mail (e.g., 10 CFR Part 30, Appendix A II. C. 2).

1.3.4 10 CFR Part 2 Submissions

Rulemaking petitions, comments filed in rulemaking proceedings (10 CFR Part 2, Subpart H), and requests for enforcement action under 10 CFR 2.206 may be submitted via EIE, CD-ROM, or e-mail. Other documents submitted pursuant to 10 CFR Part 2, Subpart B, "Procedure for Imposing Requirements By Order, or for Modification, Suspension, or Revocation of a License, or for Imposing Civil Penalties," may be submitted via EIE or CD-ROM. Submission of all other documents covered under Part 2 are excluded from the scope of this guidance document. Separate rules or guidance addressing procedures for electronic communications in hearings will be issued in the future for public comment, but it should be noted that the document format standards outlined in this guidance document subsequently may be determined to apply to documents submitted to agency adjudicatory dockets. It is conceivable that, as a result of a future rulemaking proceeding, the current format requirements in 10 CFR Part 2, Subpart J, for example, could be superseded by the document format standards presented in this guidance document. Accordingly, interested parties should consider the impact the approach outlined in this guidance could have on their preparation of materials for future submission.

1.3.5 Freedom of Information Act and Privacy Act Requests

All Freedom of Information Act (FOIA) requests and appeals may be submitted electronically by EIE, CD-ROM, or e-mail. Privacy Act requests cannot be

submitted electronically because additional identification is required before the agency will process the request. See 10 CFR 9.54.

2.0 Parameters for Electronic Files Submitted to the NRC

Unless otherwise noted in the sections detailing the mode of submission which follow, all electronic documents submitted to the NRC should meet the file format specifications delineated in this section. These specifications also apply to all enclosures or attachments that are documents as well. Note: any electronic file that can be converted to PDF format (spread sheets, slide presentations, etc.) are considered documents by the NRC and are subject to these specifications.

Submittals may also contain other forms of electronic information including data files, computer models, and video or audio clips that are not considered documents. These files are not required to conform to the file format specifications established for documents.

2.1 File Formats

The acceptable file formats for submitting documents via EIE, CD-ROM, and e-mail with the associated versions, default file extensions, and preferred use are shown in the tables below.

File Format	Version	Filename Extension	Preferred Use
Adobe® Portable Document Format (PDF) Formatted Text and Graphics (Formerly known as PDF Normal) * , **	4.05 or earlier	pdf	Text-oriented documents converted from native applications
Adobe® PDF Searchable Image (Exact) (formerly known as PDF Original Image with Hidden Text) *	4.05 or earlier	pdf	Text-oriented documents converted from scanned documents
PDF Image Only	4.05 or earlier	pdf	Preferred format for graphic/image-oriented documents
Multi-page TIFF	CCITT T.6 Group 4 or CCITT T.5 Group 4	tif	Alternate format for graphic/image-oriented documents

* Preferred formats generated using Adobe® products.

** Not acceptable for conversion of scanned documents.

Note: Adobe has recently established a fourth PDF format (PDF Searchable Image (Compact)) that uses compression techniques to reduce file sizes of images. This is not an acceptable format for submission to the NRC.

In most cases the NRC recommends that spreadsheet applications also be converted to one of the acceptable PDF file formats. However, spreadsheets that are submitted to the

NRC so that the NRC staff can use the data to perform additional calculations/analyses using the native software applications may be submitted using the following acceptable formats.

File Format	Version	Filename Extension	Preferred Use
Microsoft® Excel®	97 or earlier	xls	Spread Sheet calculations
Corel® QuattroPro	8 or earlier	wb3	Spread Sheet calculations
Lotus® 1-2-3	9 or earlier	wk3/wk4	Spread Sheet calculations

When submitting the electronic file using one of the acceptable formats listed in the tables above, do not change the default, three-character extension for the file (e.g., a document prepared as “license amendment.pdf” should be submitted with the “.pdf” file extension).

2.2 Naming Conventions

Documents submitted to the NRC using CD-ROM or e-mail must:

- (1) Have filenames that are limited to 116 characters in length (including the “.” and the three-character filename extension).
- (2) Retain the default three-character file extension associated with the format in which the document was created (Example: for files created to conform to Adobe’s Portable Document Format, “.pdf”; for files created to conform to the Tagged Image Format, “.tif”).
- (3) Include a three-digit numeric prefix (e.g., 001, 002, 003) in the filename that designates the correct order of the files contained in the submission, followed by the name of the file (Example: “001document name of first document.pdf”).

Documents submitted to the NRC via EIE (see Section 3.0) do not need special file naming conventions. Documents submitted via EIE should have file names that conform to items (1) and (2) above. In addition, documents submitted using EIE are programmatically provided a naming convention which designates the order of the files contained in the submission and a date of receipt for each file.

2.3 File Size Limitations

Large size files create challenges for both the NRC staff and the public when viewing or downloading the documents. Therefore, the NRC requests that submitters make every effort to limit the file size of electronic submittals. For example, when generating documents

for submission, files should be created using logical breaks in the document (e.g., file broken up into individual chapters). Although the CD-ROM may contain the maximum number of MBs possible, it is necessary to try to limit each individual file on the CD to 20 MB or less. The maximum file size that can be submitted to the NRC also depends on the method of transmission. The use of compression techniques (zipped files, downsized files, etc.) is not allowed for electronic files submitted to the NRC. The table below summarizes the size limitations based on the method of file transmission:

Method of Transmission	File Size Limitations
Electronic Information Exchange (EIE)	Less than or equal to 25MB ⁺
CD-ROM	20MB or less per individual file on CD ⁺⁺
E-mail	Less than or equal to 10MB ⁺

⁺ Total, combined size of message and attachments.

⁺⁺ The total CD capacity may be used but submitters are urged to limit individual files to 20MB or less.

2.4 Security/Access Settings

Submissions should not contain any security settings, password protections, or any other attributes that will exclude full NRC access to and use of the files. NRC's internal security and archival processes will maintain the integrity of the materials that are submitted.

2.5 Resolution

Tagged Image File Format (TIFF) or PDF documents must be created using the following resolution guidelines:

<i>TIFF formatted documents</i>	<i>PDF formatted documents</i> ^{a, b}
<ul style="list-style-type: none"> • Bi-tonal (black and white) TIFF resolution, 300 dpi • Color TIFF resolution, 200 dpi • Grayscale TIFF resolution, 200 dpi 	<ul style="list-style-type: none"> • Bi-tonal (black and white) PDF resolution, 300 dpi • Color PDF resolution, 200 dpi • Grayscale PDF resolution, 200 dpi

^a PDF files containing scanned images of text, in PDF Original Image with Hidden Text format, or PDF Normal files containing images of text are unrecognized by the Optical Character Recognition (OCR) conversion process because they represent non-textual information. Documents containing integrated images of text inserted in textual documents will not be accepted.

^b Adobe® Acrobat® "downsampling" may result in images with resolutions less than acceptable for submission to the NRC. Therefore, its use is not permitted.

2.6 Use of Color

The NRC discourages the use of color because it significantly increases file size. If the use of color adds no value to the understanding of the information presented, its use should be avoided. If color is required to make the document understandable, its limited use is acceptable. Examples of color documents that meet this criteria are graphs, bar-charts, and engineering drawings that depend exclusively on the differences in color to understand the information and data being presented.

2.7 Files with Special Attributes

Documents that contain electronic files with special attributes present many challenges when trying to manage them in an electronic environment. The NRC currently does not have the technical capability to quickly and cost-effectively reproduce documents with special printing requirements (such as requiring the use of a plotter or other special equipment to print) or other enhancements such as 3D images, etc. Therefore, if a person chooses to submit documents with special attributes electronically, he or she must submit the number of CD-ROMs required by the regulations, plus one paper copy.¹

2.8 File Linkages

Files containing objects (e.g., pictures, tables, spreadsheets, and images of text) using link protocols such as Object Linking and Embedding (OLE), Dynamic Data Exchange (DDE), or any other object linking are not practicable for the NRC to accept.

2.9 Viruses

Files received by the NRC will be checked for viruses prior to acceptance. Any submission that contains a virus will be returned to the submitter.

2.10 Macros

Macros in files such as Microsoft® Excel are sometimes detected as viruses. Therefore, the use of macros should be limited because a file identified as having a virus will be returned to the submitter.

2.11 Copyrighted Information

Except as provided below, submitting information electronically to the NRC through the EIE process shall be deemed to constitute authority for the NRC to place a copy of the information on its public document database and to reproduce and distribute sufficient copies to carry out its official responsibilities. Any person submitting information shall be deemed to represent to the NRC that he or she has legal authority to submit the document

¹No documents with special attributes will be accepted via EIE

and to permit NRC to reproduce and distribute the document, and shall hold the NRC harmless from damages that result from the NRC's reproducing or distributing the documents.

If a document contains a copyright notice, or is accompanied by any other statement restricting reproduction, NRC will not accept the information electronically unless the submitter provides an explicit statement authorizing the NRC to make copies of the material in accordance with this guidance. If the submitter lacks authority to permit NRC to reproduce the document, NRC will not accept the information electronically until the submitter provides written authorization from the copyright owner for the NRC to make copies of the material in accordance with this guidance.

NRC use of the information specified herein does not constitute authority for others to use the information outside applicable requirements of copyright law.

2.12 Copies

Licensees and vendors submitting documents via EIE do not need to send confirming hard copies of the electronic documents. Licensees, applicants, and members of the public submitting documents on CD-ROM are required to submit as many copies as required by the applicable agency regulation or order and accompanied by one paper copy as well. This is because the agency does not have the capability to reproduce paper copies of these submissions cost effectively or rapidly enough to meet the needs of the NRC and the public. However, as the technology evolves and the NRC staff gains more experience processing and reproducing documents in the electronic environment, and becomes more comfortable working in an electronic environment, NRC will reassess this approach and modify the guidance document, as appropriate.

3.0 Guidance for EIE Submissions

3.1 Who Can Participate

The participant population includes applicants, licensees, external entities (including Federal, State, and Local governments), and vendors who are required to submit documents to the NRC. The EIE is designed to ensure that electronic documents can be transmitted via the Internet in a secure and unalterable manner. Submittals such as those that are required to be submitted under oath or affirmation may be safely transmitted via the Internet. Applicants, licensees, vendors etc. will designate individual users who have the responsibility for originating, signing, or sending documents to the NRC in compliance with regulatory requirements.

3.2 How to Register

The NRC provides for overall administration of the EIE process through the designated Local Registration Authority (LRA). The LRA creates and maintains an Authorized Certificate List (ACL) consisting of authorized internal and external EIE participants.

Each participant must send an ACL containing the name and e-mail addresses of individuals who will be submitting digitally signed documents to the NRC. The ACL must be sent to the NRC in a signed paper form to the following address:

Local Registration Authority (T6 C30)
Electronic Information Exchange
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Upon receipt of the ACL, the NRC will e-mail to each individual named a unique personal identification number (PIN) to be used in applying for a digital certificate. Once received, the digital certificate will then enable individual users to digitally sign documents and submit them in a secure manner. The PIN number will be sent approximately 3 to 5 business days after receipt of the ACL. Participants may add or delete names from the ACL by written notification to the NRC using the above address. The LRA will use the ACL to validate authorized individuals requesting digital signature certificates. The LRA may be contacted via e-mail at EIE@nrc.gov.

3.3 What is Needed to Participate

Participating individuals in the EIE initiative may use their existing workstations with standard desktop configuration. The recommended workstation configuration requires a Pentium 133 MHZ (or higher) with a minimum of 32 MB of RAM, 20 MB of available disk space, and access to the World Wide Web (Web) through an Internet Service Provider (ISP). The operating system should be either Windows NT or Windows 95 (or higher). In addition, each workstation must be equipped with browser software, consisting of either Netscape Navigator or Communicator (version 4.6 or higher) or Microsoft Internet Explorer (version 5.0 or higher). Other browser types, such as AOL or Mosaic, are not currently supported for use in the EIE system.

In order to utilize EIE, each individual must obtain a digital signature certificate (Digital ID). (See Section 3.4 of this guidance document.) Additionally, there are software plug-ins that must be downloaded and installed. In the subsequent sections, each process and step required to setup a computer or workstation to use EIE is described. The processes and steps described are specific to both Netscape Navigator/Communicator 4.6 or higher and Microsoft Internet Explorer 5.0 or higher.

3.4 How to Obtain a Digital Signature Certificate

All users must have a Digital ID in order to use EIE. A Digital ID is used to submit and digitally sign the form used to submit documents and will be required in order to access the EIE external server to retrieve documents, if appropriate. The EIE system requires the use of an NRC-issued Digital Certificate.

To obtain a Digital ID, authorized participants must first complete and submit an enrollment form. VeriSign, Inc. acts as the NRC's Certificate Authority (CA) and provides the NRC with a Digital Certificate (ID) enrollment page on their Web site. The NRC provides VeriSign Onsite Digital Certificates (ID's) at no cost. The steps for obtaining a Digital Certificate are

provided on the EIE home page at <http://www.nrc.gov/site-help/eie.html>. After accessing the EIE home page, click on the "Request / Retrieve Certificate" hyperlink and follow the step-by-step prompts.

3.5 How to Obtain Software Plug-ins

In order to utilize the EIE system, users will need to download and install two software plug-ins. The software plug-ins required are browser-dependent and can be obtained from the EIE home page on the NRC Web site at (<http://www.nrc.gov/site-help/eie.html>). The specific plug-ins required are the Internet Form Viewer, which is a required plug-in regardless of the browser used, a signaturing plug-in for Netscape users, and a separate viewer plug-in for Microsoft Explorer users. To successfully download and install the plug-ins, simply go to the EIE home page and click on the "EIE Start Up" hyperlink and follow the step-by-step procedures provided.

3.6 How to Submit Documents

Documents eligible for submission to the NRC are restricted to specific formats. No documents with special attributes (e.g., documents with special printing requirements, such as requiring the use of a plotter or other special equipment to print) or other enhancements such as 3D images, etc. will be accepted via EIE. The acceptable formats for electronic submission via EIE are listed in Section 2.1 above. The submission of documents to the NRC using EIE will require the use of the NRC's EIE form. The EIE form is a document based on Extensible Mark-up Language (XML). It allows participants to sign, enclose, submit, and verify documents via the Internet. The document to be submitted or transmitted must be presented as an enclosure to the form. The form can be accessed by going to the NRC Web site at (<http://www.nrc.gov/site-help/eie.html>). Once there, select the "Submit/Retrieve" hyperlink and click on "Go to Form."

Once the form is displayed, users will need to fill in the fields on the form and attach the document(s) for submission to the NRC. Once the fields have been filled in and the intended documents are attached, the form must be digitally signed.

Documents submitted electronically using EIE do not need to be digitally signed by the author(s). They may be digitally signed by the person who transmits them, but the author(s) are accountable for the content of the document(s) submitted. Generally, the persons who will digitally sign documents and transmit them electronically to the NRC are the same persons who currently dispatch licensing documents through the mail to the NRC. Licensees and vendors submitting documents via EIE do not need to send confirming hard copies of the electronic documents.

NRC regulations require that some documents be filed under oath or affirmation. If such a document is transmitted electronically using EIE, it must conclude with a statement to this effect:

"I declare under penalty of perjury that the foregoing is true and correct. Executed on [date]"

The electronic document *must* be digitally signed by the person affirming this statement. This person may then transmit the document directly to the NRC using EIE or may forward the document to someone else for transmission to the NRC. In the latter case, the transmitter must also digitally sign the document.

Documents transmitted to the NRC electronically using EIE will be time- and date-stamped when the last bit of the transmittal is received by the EIE server. The time and date of the transmission will become part of the record in the NRC's Agencywide Documents Access and Management System (ADAMS). The transmitter will be e-mailed a notice of receipt of the document. The notice will include the time and date the transmission was received at the NRC.

Submission of documents via EIE satisfies agency submittal requirements. The submitter need not send additional copies to NRC regions or other agency offices.

For more detailed information and step-by-step procedures on how to submit documents to the NRC using EIE, see the "EIE Submittal Procedures" on NRC's Web site at <http://www.nrc.gov/site-help/eie.html>.

3.7 Where to Submit Documents

Documents submitted using EIE are automatically sent to the NRC Document Processing Center for processing into ADAMS. No additional information is necessary, except for submittals intended for a Region. Submissions intended for the Regions should have the Region(s) listed in the comment box contained on the submission form.

3.8 Additional User Assistance (references and contact information)

Additional information, as well as detailed user guides can be obtained from NRC's Web site at (<http://www.nrc.gov/site-help/eie.html>).

Should you have any questions, please contact the Local Registration Authority (LRA) at (301) 415-6030 or by e-mail at EIE@nrc.gov.

4.0 Guidance for CD-ROM Submissions

4.1 Who Can Participate

This guidance is intended for licensees, applicants, external entities (including Federal, State, and Local governments), vendors, and members of the public who submit documents to the NRC.

4.2 What Can be Submitted

Documents may be submitted via CD-ROM, except as noted in Section 1.3.1 above. As mentioned in Section 1, there are also documents that should only be submitted using CD-ROM, such as large documents exceeding 15 megabytes. However, documents that are submitted on CD-ROM must also be submitted with one paper copy. Also, documents containing Classified information (i.e., National Security Information and Restricted Data), Safeguards Information, Privacy Information which is protected by the Privacy Act (5 USC 552(a)), Proprietary Information, or Official Use Only Information may only be submitted electronically on CD-ROM and not via EIE or e-mail.

4.3 How to Submit CD-ROMs to the NRC

Each CD-ROM submission must be transmitted by a signed letter in paper format. Documents submitted pursuant to NRC regulations must cite the relevant regulations in either the subject line or the first paragraph of the transmittal letter. The transmittal letter must include the name, phone number, mailing, and e-mail address of a contact person who can respond to questions about the submission. In addition, if there are any special instructions regarding the use of the CD-ROM (e.g., how to open the files, access the publication, etc.), they should be included as part of the transmittal letter. When a CD-ROM contains multiple documents, the transmittal letter must identify each document contained on the CD-ROM. The transmittal letters for CD-ROMs containing Classified Information (i.e., National Security Information and Restricted Data) must be marked in accordance with 10 CFR 95.37 and mailed to the NRC Classified mailing address. If the CD-ROM contains sensitive or non-public documents, the additional requirements in Section 4.3.1. apply.

CD-ROM submissions of documents must be accompanied by one paper copy as well. This is because the agency does not have the capability to reproduce paper copies of these submissions cost effectively or rapidly enough to meet the needs of the NRC and the public. However, as the technology evolves, and staff becomes more comfortable working in an electronic environment, NRC will reassess this approach and modify the guidance document, as appropriate.

4.3.1 Sensitive or Non-Public Documents

The sensitivity level of the transmitted documents must be included on the first page of the accompanying transmittal letter. Documents containing Classified Information (i.e., National Security Information and Restricted Data), Safeguards Information, Sensitive Homeland Security Information, Privacy Act Information, Proprietary Information, or Official Use Only Information should be submitted in a CD-ROM version intended for internal NRC review only. (This information may only be submitted electronically on CD-ROM, but not via EIE or e-mail. Detailed guidance on withholding Sensitive Homeland Security Information is contained in COMSECY-02-0015, which can be obtained by visiting the NRC's Web site at <http://www.nrc.gov/reading-rm> and selecting "COMSECY-02-0015".) NRC regulations will prescribe how many copies are to be submitted. If the CD-ROM contains non-public information, the submitter shall provide the NRC with the prescribed number of copies of the complete material, plus one CD-ROM containing only the publicly available information. This CD-ROM must be clearly labeled "Publicly Available Information." Thus, if an applicant is required to submit 15

copies, it would send 15 CD ROM copies of the complete material containing both the public and the non-public document and one additional CD-ROM containing only the publicly available information for placement in the agency's PDR, and one paper copy of the complete material and one paper copy containing only the publicly available information.

4.3.2 Oath or Affirmation

NRC regulations require that some documents be filed under oath or affirmation. If such a document is submitted on CD-ROM, the transmittal letter must contain the oath and the signature of the person swearing to the accuracy of the information submitted. Specifically, the letter must include the following statement with the signature of the person affirming it:

"I declare under penalty of perjury that the foregoing is true and correct. Executed on [date]"

4.3.3 Living Documents

Many large documents historically submitted to the NRC have been maintained as living documents and have used a page-replacement strategy for update. In the electronic environment this approach is not practicable. Consequently, if a submitter chooses to use electronic submission of these documents, all subsequent updates must be performed on a total-replacement basis. The updated version must include a list of changed pages and each changed page must include both a change indicator for the area changed, for example a bold line vertically drawn in the margin adjacent to the portion actually changed, and a page change identification (date of change or change number or both).

4.3.4 CD-ROM File Format

The acceptable file formats are stated in Section 2.1. However, for text-oriented documents, the preferred file formats are Portable Data Format (PDF) Normal and PDF Original Image with Hidden Text. PDF Image Only is preferred for submission of graphic/image documents. PDF files and TIFF files should be scanned at the resolutions stated in Section 2.5 of this document.

Large documents made up of multiple files, folders, etc., often require the inclusion of a search engine on the CD-ROM to facilitate navigation, search, and retrieval of the document. The inclusion of the search engine enables the user to access the material contained on the CD-ROM without having to rely on other software in the users' resident environment. The NRC encourages the inclusion of these search engines to facilitate the use of the materials in stand-alone mode. However, only those products that do not require the end-user to purchase a license to use are acceptable.

4.3.5 Packaging/Labeling

When submitting documents that contain both publicly and non-publicly available files, all of the files should be included on a CD-ROM. In addition, a separate CD-ROM must be provided that contains only the publicly available files. Each CD-ROM must be clearly labeled indicating its availability. CD-ROMs labeled as "Publicly Available" will be released to the public (sent to the Public Document Room, where they are available for inspection and copying). The mailing package containing CD-ROMs with documents comprised of Safeguards, Proprietary, or Privacy Act Information must be marked in accordance with the requirements set forth in 10 CFR 2.790(b) and 73.21(e). The mailing package forwarding CD-ROMs containing Classified Information must be submitted to NRC in accordance with the requirements contained in 10 CFR 95.39.

4.3.6 Rejection of Submissions

It is not practicable for the NRC to accept:

- Any submission that contains a virus.
- Files submitted that are compressed.
- File formats other than those listed in Section 2.1.
- CD-ROMs that contain both publicly and non-publicly available files on a single CD, unless a second CD with only publicly available information is also provided.
- CD-ROMs containing OLE (Object Linking and Embedding), DDE (Dynamic Data Exchange), or any other object linking.

4.4 Where to Submit the CD-ROMs

Send CD-ROMs with transmittal letter to the mailing address specified in the regulation, order, or other document governing the submission of that particular application, report or correspondence.

4.5 Additional User Assistance (references and contact information)

Information can be found in the "CD-ROM Submittal Procedures", found in Related Information, by visiting the NRC's Web site at <http://www.nrc.gov/site-help/eie.html>.

For assistance or to discuss problems with making CD-ROM submissions of electronic filings, contact the Document Processing Services Section at 301-415-2488 during the NRC's normal business hours (7:30 a.m. to 4:15 p.m. eastern time) or e-mail EIE@nrc.gov.

5.0 E-mail Submissions

5.1 Who Can Participate

This guidance is intended for licensees, applicants, external entities (including Federal, State, and Local governments), vendors and members of the public who submit documents to the NRC.

5.2 What Can be Submitted

Documents (except for collaborative communications with States and other Federal agencies) submitted by e-mail, including the text of the e-mail, should contain only information that could be made available to the public and may be used for:

- Rulemaking petitions and comments in rulemaking proceedings.
- Requests for enforcement action under 10 CFR 2.206, which may be sent to 2206PETITIONS@NRC.GOV.
- FOIA requests and appeals (unless Privacy Act information is sought; review Section 1.3.5 for additional details).
- Responses to Federal Register Notices or other agency communications where NRC has provided a specific e-mail address.

Multiple document attachments are acceptable, but the e-mail cannot exceed the 10MB size limitation, and the e-mail must include the required information as listed in Section 5.4.

In addition, the NRC provides a listing of contacts on the NRC Web site at <http://www.nrc.gov> that can be used for a variety of e-mail communications to the agency by selecting “Contact Us” from the home page. Documents can be submitted by e-mail for the purposes identified on the Web site, and should be sent to the specific e-mail address provided for each form of communication.

5.3 Rejection of Submissions

File submissions that do not meet the parameters outlined in this document, especially as outlined in Section 2.0, will be rejected and will require re-submission. If the e-mail (with attachments) exceeds the 10 MB size requirement or contains a virus, the sender will receive an automated “Undelivered Mail” notice stating the reason for the delivery rejection.

If the documents do not comply with other file parameters outlined in Section 2.0 (e.g., unknown file format, compressed files, incorrect naming convention, corrupt/unreadable file or if it contains macros identified as potential viruses), the intended recipient may notify the addressee to re-submit the document(s). Finally, the body of the e-mail message/text must include the required information as listed in Section 5.4.

5.4 How to Send E-mail

Files sent via e-mail must be sent as an attachment to the e-mail message in order to retain the original formatting of the document(s). The e-mail message must include the name of a contact person who can respond to questions about the submission, along with the contact person's daytime phone number, mailing, and e-mail address. The e-mail must also identify/describe each document attached to the e-mail message. The format used to generate each of the identified file(s) must also be listed.

5.5 Where to Submit E-mail

E-mail may be addressed to either specific individuals named as contacts or to the office specified in the regulation or communication specific to the document(s) being submitted, to addresses the NRC Web site provides for individual program offices or specific agency functions or services, or to the Office of Public Affairs. Individual program offices may be contacted by using the addresses found at the NRC Web site at <http://www.nrc.gov>, and selecting "Contact Us" from the home page. The Office of Public Affairs may also be contacted through the "Contact Us" page or at OPA@nrc.gov. The Office of the Secretary of the Commission may be contacted at 2206PETITIONS@NRC.GOV for 2.206 petitions (use upper case where indicated). The sender will not be e-mailed a confirmation of receipt of the submission.

6.0 Facsimile (Fax) Submissions

6.1 Who Can Participate

This guidance is intended for licensees, applicants, external entities (including Federal, State, and Local governments), vendors and members of the public who submit documents to the NRC.

6.2 What Can be Submitted

Documents (except for collaborative communications with States and other Federal agencies) submitted by fax should contain only information that could be made available to the public and may be used for:

- Rulemaking petitions and comments in rulemaking proceedings.
- Requests for enforcement action under 10 CFR 2.206.
- FOIA requests and appeals made directly to the FOIA and Privacy Act Officer (unless Privacy Act information is sought; review Section 1.3.5 for additional details).
- Responses to Federal Register Notices or other agency communications where NRC has provided for response by fax.

- Responses to NRC licensing-related questions.
- Information from export/import license applicants, and licensees.

6.3 How to Send Facsimiles (Faxes)

Faxes must include the name of a contact person who can respond to questions about the submission, along with the contact person's daytime phone number and mailing or e-mail address.

6.4 Where to Submit Facsimiles (Faxes)

The NRC has established centralized receipt points (see listing of fax locations provided in Section 6.5) for official submissions transmitted by fax at each of the Regional Offices, the Office of International Programs, and NRC Headquarters. All official transmissions should be sent to one of these official receipt points to ensure that they are captured as official records of the agency.

6.5 Facsimile Locations and User Assistance

<u>LOCATION</u>	<u>FAX NUMBER</u>	<u>USER ASSISTANCE & VERIFICATION</u>
Headquarters (24-Hour Operation)	301-415-7010 OR 301-415-7020	301-415-7000
Office of International Programs	301-415-2395	301-415-1787
Office of the Secretary	301-415-1101	301-415-1966
Freedom of Information Act and Privacy Act Officer	301-415-5130	301-415-7169
Region 1	610-337-5324	610-337-5270
Region 2	404-562-4900	404-562-4827
Region 3	630-829-9886	630-810-4376
Region 4	817-860-8210	817-860-8100

7.0 Additional Resources

7.1 User Assistance

To obtain general information about accessing documents filed electronically (viewing, printing, and downloading), contact the NRC Public Document Room (PDR) during business hours.

You may contact the PDR librarians by any of the following means:

Telephone:	1-800-397-4209 or 301-415-4737
TTY (hearing impaired):	1-800-635-4512
Facsimile:	301-415-3548
E-mail:	pdr@nrc.gov
U. S. Mail:	Public Document Room, (O1F13) U. S. Nuclear Regulatory Commission Washington, DC 20555-0001
Onsite at the PDR:	One White Flint North 11555 Rockville Pike (first floor) Rockville MD

Hours of PDR operation:

Reading Room 7:45 a.m. - 4:15 p.m. eastern time, Federal Workdays

Telephone Service 8:30 a.m. - 4:15 p.m., eastern time, Federal Workdays

7.2 References

NRC, EIE Web site; <http://www.nrc.gov/site-help/eie.html>

The Code of Federal Regulations, Title 10 - Energy <http://www.nrc.gov>. Select "Code of Federal Regulations" from the Index found on the home page.

Freedom of Information Act, 5 U.S.C. 552

Privacy Act, 5 U.S.C. 552a