

# U.S. NUCLEAR REGULATORY COMMISSION

## DIRECTIVE TRANSMITTAL

TN: DT-06-12

To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 3.54, "NRC Collections of Information and Reports Management"

Purpose: Directive and Handbook 3.54 are being revised to provide guidance to agency staff in preparing Office of Management and Budget (OMB) clearance packages for any voluntary or mandatory information collections imposed on the public, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) and OMB's implementing regulations at 5 CFR Part 1320.

Office of Origin: Office of Information Services

Contact: NRC Clearance Officer, 301-415-7233

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Availability: Rules and Directives Branch  
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# NRC Collections of Information and Reports Management

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Directive

(Formerly  
MC 0230)

3.54

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# U. S. Nuclear Regulatory Commission

Volume: 3 Information Management

Part: 2 Records Management

OIS

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## NRC Collections of Information and Reports Management Directive 3.54

### Policy (3.54-01)

It is the policy of the U.S. Nuclear Regulatory Commission to define the objectives, responsibilities, and procedures for managing the NRC's information collection activities as prescribed under the Paperwork Reduction Act of 1995 and the Office of Management and Budget's (OMB's) implementing regulations (5 CFR Part 1320, "Control of Paperwork Burdens on the Public; Regulatory Changes Reflecting Recodification of the Paperwork Reduction Act").

### Objectives (3.54-02)

- To ensure that NRC-conducted or -sponsored information collections are consistent with the needs of the Federal regulatory programs and are undertaken in a manner that will place a minimum burden on respondents, particularly small businesses and small entities that are required to maintain or furnish information to NRC. (021)
- To ensure that the most efficient, effective, and economical sources or means for obtaining or applying information resources have been considered. (022)

## Objectives

### (3.54-02) (continued)

- To ensure that the NRC information collections are reviewed at key intervals from the developmental to the implementation stage so that appropriate decisions can be made about continuing, modifying, or terminating the information collections. (023)
- To ensure that the information has practical utility, that is, it is necessary for the proper performance of the agency's mission. (024)

## Organizational Responsibilities and Delegations of Authority

### (3.54-03)

#### Commission

##### (031)

- Approves new or revised collections of information that are contained in NRC proposed and final rules when approval authority has not been delegated to the Executive Director for Operations (EDO). (a)
- Decides whether to override OMB's disapproval of proposed NRC information collections. (b)

#### Executive Director for Operations (EDO)

##### (032)

- Approves new or revised collections of information that are contained in NRC proposed and final rules when approval authority has been delegated to the EDO. (a)
- Upon consideration of recommendations by the Deputy Executive Director for Information Services and Administration and Chief Information Officer (DEDIA), recommends to the Commission action that should be taken on OMB's decisions to disapprove or challenge the effectiveness of proposed NRC information collections. (b)

Organizational Responsibilities and  
Delegations of Authority  
(3.54-03) (continued)

Deputy Executive Director for Information  
Services and Administration and  
Chief Information Officer (DEDIA)  
(033)

- Oversees the agency's information collection activities as defined by the Paperwork Reduction Act and OMB's implementing regulations and guidelines. (a)
- Upon consideration of recommendations by the Director of OIS, recommends to the EDO action that should be taken on OMB's decisions to disapprove or challenge the effectiveness of proposed NRC information collections. (b)

General Counsel  
(034)

- Provides guidance to staff on the legal interpretation of paperwork management laws and OMB's implementing regulations and guidelines. (a)
- Concurs in all information collection submittal packages and communications addressed to OMB that involve controversial recordkeeping or reporting burdens that require interpretation or enforcement of the laws and regulations governing information collection activities. (b)

Director, Office of Information  
Services (OIS)  
(035)

- Delegates responsibility to the NRC Clearance Officer for management of the Information Collections Program. (a)

Organizational Responsibilities and  
Delegations of Authority  
(3.54-03) (continued)

Director, Office of Information  
Services (OIS)  
(035) (continued)

- Ensures that the agency Information Collection Budget (ICB) is developed and submitted to OMB, as required by the annual OMB circular. (b)
- Recommends to the DEDIA actions that should be taken on OMB's decisions to disapprove or challenge the effectiveness of proposed NRC information collections. (c)

Office Directors and Regional Administrators  
(036)

- Approve proposed information collections that are sponsored by their functional areas. (a)
- Make recommendations to the Chief Information Officer and the Commission about whether to override an OMB disapproval of a proposed NRC information collection. (b)
- Designate Information Management Coordinators (IMCs) who serve as liaisons between their respective offices and OIS on all information collection activities. (c)
- Establish internal controls to ensure that information collections comply with agency policies and procedures. (d)

Director, Information and Records  
Services Division (IRSD), OIS  
(037)

- Provides guidance and assistance to staff in accomplishing the objectives of this directive. (a)
- Ensures staffing levels are sufficient to accomplish the requirements of the Paperwork Reduction Act and OMB's implementing regulations. (b)

Organizational Responsibilities and  
Delegations of Authority  
(3.54-03) (continued)

NRC Clearance Officer, OIS  
(IRSD, Records and FOIA/Privacy  
Services Branch (RFPSB))  
(038)

- Establishes and ensures implementation of agency policies and procedures for information collection activities. (a)
- Approves or disapproves proposed information collections for submittal to OMB. (b)
- Continually assesses the agency's information collection needs, identifies them in the agency's annual ICB, and submits the ICB to OMB. (c)
- Ensures that the agency's information collection burden remains within the OMB-established ICB ceiling. (d)

Director, Division of Administrative Services  
(DAS), Office of Administration (ADM)  
(039)

- Provides OIS with a copy of each proposed document that DAS receives for review that may be used to impose information collections (e.g., proposed and final rules, policy statements). (a)
- Coordinates with OIS all rulemakings, policy statements, and any other documents that may be used by staff to impose information collections to ensure that documents are in compliance with governing laws, regulations, and agency policies and procedures. (b)



Applicability  
(3.54-04)

All NRC employees must comply with the guidance in Management Directive and Handbook 3.54.

Handbook  
(3.54-05)

Handbook 3.54 provides detailed procedures and guidelines for implementing the policies on information collections conducted or sponsored by NRC.

References  
(3.54-06)

*Code of Federal Regulations*

“Controlling Paperwork Burdens on the Public; Regulatory Changes Reflecting Recodification of the Paperwork Reduction Act,” 5 CFR Part 1320.

Nuclear Regulatory Commission

NUREG/BR-0058, Revision 4, “Regulatory Analysis Guidelines of the U.S. Nuclear Regulatory Commission.”

*United States Code*

“Paperwork Reduction Act of 1995” (44 U.S.C. 3501 et seq.), Pub. L. 104-13.

# NRC Collections of Information and Reports Management

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## Handbook

(Formerly  
Appendix 0230)

3.54

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## NRC Collections of Information and Reports Management

### Introduction (A)

The Paperwork Reduction Act and the Office of Management and Budget's (OMB's) implementing regulations at 5 CFR Part 1320 require that all information collections, whether voluntary or mandatory, imposed on the public receive OMB clearance if they involve more than nine non-Federal entities. The act and OMB's implementing regulations were put in place to ensure that all information collections are necessary and that the burden to the public is kept as low as possible. (1)

This handbook provides guidance to NRC staff for conducting or sponsoring voluntary and mandatory information collections. The guidance applies to all new, modified, and renewed NRC requests and requirements for persons to obtain, keep, report, or publicly disclose information contained in rules, regulatory guides, bulletins, generic letters, policy statements, or any other vehicle as defined under "information collection request" in the Glossary of this handbook. Information collections include any application, reporting, recordkeeping, telephonic request, labeling requirement, or other means used to impose information collection requests on any applicant, NRC licensee, Agreement State and/or its licensees through compatibility requirements, or any other member of the public, regardless of whether the collection is mandatory or voluntary. (2)

Management Directive (MD) and Handbook 3.54 are available on NRC's internal Web site under Policies and Procedures/ Management Directives. They are also available on NRC's internal Web homepage by selecting "Services" and "Information Collections" or by selecting "NRC Organization" and "OIS" and "IRSD/Info Collections" from the menu on the left side. Updated or modified procedures will be posted on the latter site, and these changes will be incorporated in the next scheduled revision of MD 3.54. (3)

## Introduction (A) (continued)

The OMB clearance package contains a supporting statement, a *Federal Register* notice (FRN), and various supporting documents, for example, NRC forms, rules, and surveys. Because FRN formats are subject to change, they are not included in this handbook but rather are available on NRC's internal Web homepage by selecting "Services" and "Information Collections" or by selecting "NRC Organization" and "OIS" and "IRSD/Info Collections" from the menu on the left side. General instructions for completing FRNs are included in this handbook as Exhibit 1. The information required to be included in the FRN for proposed rulemakings has been incorporated into the Paperwork Reduction Act Statement for the rule. Therefore, no separate FRN is published for a clearance package prepared for a proposed rule. Instructions for additional changes to the Statements of Consideration necessary to incorporate the FRN are also available at the above-referenced Web site under Proposed Rule Paperwork Reduction Act Statements and in Exhibit 2, "Paperwork Reduction Act Statement Procedures," of this handbook. (4)

All documents and electronic forms or systems that request or impose information collections must contain a Paperwork Reduction Act Statement. Because standard Paperwork Reduction Act Statements are revised frequently, they are not included in this handbook but are available at the above-referenced Web site. The site contains Paperwork Reduction Act Statements for all document types, including rules, policy statements, generic communications, regulatory guides, surveys, questionnaires, and Orders. (5)

This handbook does not apply to information collections addressed to nine or fewer persons within a 12-month period. However, OMB presumes that any recordkeeping or reporting requirement contained in a rule of general applicability and any request for information addressed to all or a substantial portion of an industry involves 10 or more persons. This handbook does not apply to information collections that are exempt from coverage under the Paperwork Reduction Act, including certain collections during criminal proceedings, Federal civil or administrative

## Introduction (A) (continued)

actions, antitrust proceedings, intelligence activities, and items excluded under the definition of "information collection" in the Glossary of this handbook. (6)

Note that because Grant and Cooperative Agreements do not generally receive OMB clearance, these contractors cannot be requested to perform surveys to solicit information unless OMB clearance has been obtained. (7)

## Direct Responsibilities for Information Collections (B)

### **Chief, Records and FOIA/Privacy Services Branch (RFPSB) (1)**

- Ensures agency compliance with the provisions of the Paperwork Reduction Act and OMB's implementing regulations, 5 CFR Part 1320. (a)
- Disseminates to staff new and revised OMB and NRC procedures and guidance and interprets procedures and OMB regulations as they pertain to the NRC information collection program. (b)
- Assesses offices' conformance to NRC and OMB requirements for proposed information collections, including noticing in the *Federal Register*, records retention policies, and other related policies and procedures. (c)
- Provides at the time of clearance renewal the Agencywide Documents Access and Management System (ADAMS) accession numbers for the previous clearance renewal and all clearances for final rules codified during the clearance period. (d)
- Ensures that duplicative requirements are eliminated or, if necessary, minimized. (e)

Direct Responsibilities for  
Information Collections (B)  
(continued)

**Chief, Records and FOIA/Privacy Services Branch (RFPSB) (1)**  
(continued)

- Ensures that the appropriate Paperwork Reduction Act Statement is included in each rule or document used to impose information collections and that all information collections are compliant with established policies and procedures before concurring in each rule or document. (f)
- Ensures that the Public Protection Notification and internal and OMB control numbers are displayed on each document or electronic vehicle used to impose information collections, as required by law and regulations. (g)
- As the NRC Clearance Officer, approves all information collections before submittal to OMB for review and approval. (h)

**Information Management Coordinators (IMCs) (2)**

- Assist respective office staff in preparing OMB clearance packages consistent with OMB guidelines and this MD and coordinate submittals with the NRC Clearance Officer. (a)
- Consult with OIS regarding OMB clearance of potential information collections and to resolve problems associated with the clearance applications. (b)
- Notify OIS of the discontinuance of information collections. (c)
- Retain documentation on how burden is derived so that subsequent staff preparing OMB clearance packages will know the burden basis. Retain documentation in ADAMS for 6 years. (d)



Direct Responsibilities for  
Information Collections (B)  
(continued)

**Information Management Coordinators (IMCs) (2)**  
(continued)

- Document the need to increase or decrease the burden hours in the next renewal based on issues raised during the current clearance. (e)

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C)

Each office or region shall report to OIS any proposed modification to an information collection that will result in an increase, an elimination, or a reduction in burden so that OIS can determine if OMB approval is required.

NRC must solicit public comment on all information collection requests. For rulemakings, solicitation of comments occurs at the proposed rule stage. However, if there are significant changes made to a proposed information collection between the proposed and final rule stage, public comments must also be solicited at the final rule stage. All other information collection requests require the solicitation of public comments before submitting a clearance package to OMB and at the time a clearance package is submitted to OMB. Exhibit 3 shows the flow for obtaining clearance for all collections.

**Clearance Process for Proposed and Final Rulemakings (1)**

**Lead Time Required for Reviewing Rulemaking Packages**

Rulemaking packages (draft rule and supporting statement) requiring significant OIS review effort must be submitted no less than 4 weeks before the requested OIS concurrence date and

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for Proposed and Final Rulemakings (1)**  
(continued)

may be submitted as a draft document. However, a complete revision to a major controversial 10 CFR part, such as Part 35, may require a significantly longer lead time. Other rulemakings should be submitted at least 2 weeks before requested concurrence. Significant rulemakings consist of complete revisions to 10 CFR parts; major rulemakings that move, revise, and renumber existing sections; rulemakings with controversial information collections; rulemakings with more than 20 pages of regulatory text that make substantive changes or with 10 pages of regulatory text consisting primarily of information collection requirements.

**Proposed Rulemakings (a)**

Each office or region that initiates a rulemaking containing information collection requirements shall work with the responsible IMC to develop a draft supporting statement. The supporting statement must identify specifically each revised, new, or discontinued information collection and address its need and use, and the reason for the change. Modified and discontinued burden estimates shall be evaluated against current burden estimates for existing requirements and shall reflect the **change** in burden as a positive or negative figure [e.g., 6 hours or (6 hours)]. New information collections shall reflect the total burden increase for the requirement. The number of licensees affected should be consistent with the current clearance approval, or the reason for the difference should be clearly explained. The format and content are shown in Exhibits 4 and 5 and are also available on NRC's internal Web site under OIS/IRSD/Information Collections. The information developed in the draft supporting statement should be used to complete the draft Paperwork Reduction Act Statement

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for Proposed and Final Rulemakings (1)**  
(continued)

(see Exhibit 6) in the proposed rule and updated, as necessary, when the final supporting statement is completed.

If the originator believes that the burden changes for a rulemaking are insignificant, he or she shall prepare an NRC Form 670 providing a description of the revised or deleted requirement, the burden change, and the basis for the change. Follow the procedures included in Section F of this handbook, "Clearance Process for Information Collections Modifying or Imposing Insignificant Burden."

No later than the date a rulemaking is sent to the Executive Director for Operations (EDO) for review, the final supporting statement and rule should be submitted to OIS. The OMB clearance package must be completed in adequate time to ensure receipt by OMB no later than the date the rule is sent for publication in the *Federal Register*. When the OMB clearance package is submitted to OMB, OIS will make the clearance package available in the Public Document Room (PDR) and at the NRC World Wide Web site.

OMB has 60 days from receipt of a clearance package to make its decision. If OMB approves the information collections contained in a proposed rule, and there are no significant changes made to information collections contained in the final rule, the information collection approval process is complete.

If the rule adds or deletes any sections containing information collections, program staff must include a revised "Information Collection Requirements: OMB Approval" section in the rule. Program staff should use the current "OMB Approval" section on

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for Proposed and Final Rulemakings (1)**  
(continued)

NRC's internal Web site under OIS/IRSD/Information Collections as the basis for any revision included in the rulemaking.

**Final Rulemakings (b)**

If OMB does not approve the information collections at the proposed rule stage, or there are significant changes in the information collections contained in the final rule, the proposed information collections must be resubmitted to OMB for approval. The OMB clearance package prepared for the proposed rule may be used with the addition of a description and justification for all changes (including any changes resulting from public comments) and appropriate adjustments to the burden, using redline/strikeout to highlight the changes from the prior OMB submittal. The process for preparing supporting statements for proposed rulemakings (Section C(1)(a) above) should be followed with the following changes:

- If the final rule adds or deletes any sections containing information collections, program staff must include a revised "Information Collection Requirements: OMB Approval" section in the rule. Because other rulemakings may have become effective since the proposed rule was published, it may be necessary to revise the proposed section that was included in the proposed rule. Program staff should use the current "OMB Approval" section on NRC's internal Web site under OIS/IRSD/Information Collections as the basis for any revision included in the final rule. (i)

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for Proposed and Final Rulemakings (1)**  
(continued)

- The final rule may not be published until OMB approval is obtained. Because it may be necessary to address OMB comments or make changes in the rule on the basis of OMB concerns, office staff should obtain a Commission affirmation vote or negative consent (or EDO approval, if the rule is to be signed by the EDO) on the final rule but not publish it until OMB's comments or action is received. (ii)

Staff should access NRC's internal Web site under OIS/IRSD/Information Collections for the *Federal Register* format for all clearance packages prepared for final rulemakings (see Exhibit 7).

OIS will submit the information collection requirements contained in the final rule to OMB and will make the rule and clearance package available in the PDR and the clearance package available on the NRC World Wide Web site.

If OMB has concerns that can be resolved, the resolution and any changes made to the final rule should be addressed in the rulemaking or in a Commission paper, if required, that accompanies the rule for the reaffirmation vote.

If OMB disapproves an information collection, staff may consider NRC's OMB override procedures. See Section I, "Procedures for Obtaining a Commission Override of an OMB-Disapproved Information Collection," of this handbook.

If OMB approves the information collections, OIS will promptly inform the originating office through the IMC by providing a copy of the OMB "Notice of Action," which includes the OMB approval

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for Proposed and Final Rulemakings (1)**  
(continued)

number and expiration date. Program office staff may then publish the final rule.

**Clearance Process for All Collections Other Than Rulemakings (2)**

Each office or region that proposes a new information collection, or modifies or renews an existing information collection that is not contained in a rulemaking, shall submit to OIS, through its IMC, a draft OMB clearance package at least 28 weeks before the expiration of an existing clearance or the proposed date for imposing a new or modified information collection.

If the originator believes that the burden for changes to an existing collection is insignificant (other than those for a clearance extension renewal), he or she should follow the procedures included in Section F of this handbook, "Clearance Process for Information Collections Modifying or Imposing Insignificant Burden." All new collections, regardless of whether the burden is insignificant, must be cleared.

The draft supporting statement shall fully address all data fields except Item 8, "Consultations with the Public," which shall address only consultations, workshops, and so on, held with the public in the last 3 years and shall state that opportunity for comment has been published in the *Federal Register*. If staff significantly re-estimates the burden per response, the office must survey nine or fewer respondents and include in the package their response to the burden re-estimate. If fewer than nine respondents are surveyed, the sample must be statistically valid.

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for All Collections Other Than  
Rulemakings (2) (continued)**

OIS shall review the draft supporting statement and other accompanying documentation, obtain the remaining concurrences, submit the FRN to the Office of Administration (ADM) for publication in the *Federal Register* for a 60-day comment period, and make the package available in ADAMS and at the NRC World Wide Web site.

At the end of the 60-day comment period, OIS will provide the program office with any comments that it has received. The program office shall finalize the clearance package by modifying the "Consultations Outside the NRC" section in the supporting statement to include the *Federal Register* citation and publication date, to indicate either that "no comments were received," or to respond to each specific comment and, if necessary, to modify the other sections of the supporting statement, for example, the burden estimates, as appropriate. All comment letters must be included in the final clearance package submitted to OIS.

OIS shall review the package and work with the IMC to ensure that all comments are adequately addressed.

OIS shall prepare the Form OMB 83-I, "Paperwork Reduction Act Submission" (Exhibit 8), and the "Summary of Information Collection Request" (Exhibit 9), obtain concurrences from the Office of the General Counsel (OGC), as necessary, and the NRC Clearance Officer, OIS, and submit the final clearance package to OMB.

Procedures for Obtaining OMB  
Approval of Proposed NRC Application,  
Reporting, Recordkeeping, and Other  
Information Collections (C) (continued)

**Clearance Process for All Collections Other Than  
Rulemakings (2) (continued)**

OIS will forward the FRN to ADM for placement in the *Federal Register* and place the OMB clearance package in the PDR and on the NRC World Wide Web site.

OMB must inform NRC of its approval or disapproval of an information collection within 60 days from the date it receives the request for review, or the agency may request and OMB will grant a 1-year clearance approval. (If OMB disapproves the collection of information, procedures set forth in Section I of this handbook should be considered.)

If, during its review, OMB raises concerns that OIS cannot resolve, the knowledgeable agency contact listed on the Form OMB 83-1 (the IMC or technical contact, as applicable), with OIS involvement as necessary, will attempt to resolve those concerns with the OMB Desk Officer by telephone, through meetings involving appropriate NRC and OMB staff, or by written communications. OIS will notify the NRC office responsible for the information collections of the Desk Officer's decision on such matters.

When OIS receives OMB approval of an information collection, it will promptly inform the originating office through the IMC by providing a copy of the OMB "Notice of Action," which includes the OMB approval number and expiration date.

The originating office shall affix the OMB approval number and related information to any document or electronic vehicle used to impose the requirement, as instructed by OIS, and provide OIS one copy of the document or electronic display.



## Contents and Format for a Supporting Statement and *Federal Register* Notice Requesting Comment on a Proposed Collection (D)

For each information collection request, other than rulemakings, a draft supporting statement (Exhibits 4 and 5) and an FRN must be prepared that solicits comments on proposed or extended information collections and solicits public comments on the following four questions (rulemakings solicit public comments in the Notice of Proposed Rulemaking): (1)

- Is the proposed information collection necessary for the proper performance of the functions of NRC, including whether the information will have practical utility? (a)
- Is the estimate of burden accurate? (b)
- Is there a way to enhance the quality, utility, and clarity of the information to be collected? (c)
- How can the information collection burden be minimized, including the use of automated collection techniques? (d)

The responsible program office shall prepare and submit to OIS a draft supporting statement and FRN, as applicable (see Exhibit 10), for each proposed information collection request, with a copy of the directive that imposes the collection. If the clearance package is being prepared for a proposed rulemaking, a separate FRN does not need to be submitted because the required information is incorporated into the Paperwork Reduction Act Statement. The contents of a draft package for public comment are described below: (2)

- Draft supporting statement for the collection of information (Exhibits 4 and 5) completed according to the instructions for the "Supporting Statement for Paperwork Reduction Act Submissions" (Exhibit 11). The supporting statement must identify each specific information collection, its need and use,

Contents and Format for a Supporting  
Statement and *Federal Register* Notice  
Requesting Comment on a Proposed  
Collection (D) (continued)

and provide the burden for any new, modified, or deleted information collections contained in any document. (a)

- Other than for proposed rules, a copy of the FRN Requesting Comment on a Proposed Collection, consisting of the original and the official record or concurrence copy. The record copy should contain the concurrences for the program office, OGC on a case-by-case basis, and the NRC Clearance Officer, OIS. (b)
- A copy of the proposed agency directive authorizing the imposition of a new collection of information. (The directive can be in the form of a rulemaking, an Order, a policy statement, a bulletin, a generic letter, or a survey.) (c)
- A copy of any form that will be used to collect the information. (d)
- A diskette containing the FRN as specified in Exhibit 12. (e)
- An e-mail WordPerfect file (or diskette) containing the FRN (except for proposed rules), supporting statement, and document imposing the collection as specified in Exhibit 12. (f)

Contents and Format for a  
Complete OMB Clearance  
Package (OCP) (E)

The responsible program office shall prepare the FRN (except for proposed rules) and the supporting statement for the information collection request and provide them and copies of the directive imposing the collection to OIS. The contents of a complete OMB clearance package are described below.

Contents and Format for a  
Complete OMB Clearance  
Package (OCP) (E) (continued)

- Form OMB 83-I, "Paperwork Reduction Act Submission" (Exhibit 8 of this handbook). The program office may prepare the Form OMB 83-I by selecting the form from the online forms icon menu, or OIS will prepare the Form OMB 83-I from the information supplied by the program office. (1)
- Supporting statement for the collection of information (Exhibits 4 and 5) completed according to the instructions for the "Supporting Statement for Paperwork Reduction Act Submissions" (Exhibit 11). (2)
- A copy of the FRN for OMB review, as applicable, consisting of the original and the official record or concurrence copy. The record copy should contain the concurrence blocks of the program office, OGC on a case-by-case basis, and the NRC Clearance Officer, OIS (see Exhibit 13). (3)
- A diskette containing the FRN, as applicable, as specified in Exhibit 12. (4)
- An e-mail WordPerfect file (or diskette) containing the FRN (as applicable), the supporting statement, and the document imposing the collection as specified in Exhibit 12. (5)
- One copy of and a diskette containing the proposed Commission directive authorizing the imposition of the new information collection requirement. (6)
- NRC Form 620, "Program Official Certification for Proposed Collection of Information" (Exhibit 14). The form is available on the online forms icon. (7)

## Clearance Process for Information Collections Modifying or Imposing Insignificant Burden (F)

For burden changes other than those in a clearance extension renewal, if the originator believes that the burden for changes to an existing collection, including deletions, are insignificant (see Glossary: "Insignificant burden criteria"), he or she should complete an NRC Form 670, "Information Required for Making an Insignificant Burden Determination To Support a Decision That OMB Clearance Is Not Required" (Exhibit 15). The description of the change, its need and use, the burden per respondent, and the total burden change should be presented in as much detail as would be required for this information in a formal OMB clearance package so that the information can easily be included in the next clearance renewal submittal. Submit the form and any collection document to OIS through the office IMC. NRC Form 670 is available on the online forms icon. New collections must always be cleared, regardless of whether they are insignificant. (1)

OIS staff will discuss the collection on a case-by-case basis with OGC, as necessary, and will determine whether an OMB clearance package must be prepared. Predecisional documents will be retained in OMB's files and will not be made available to the public. The NRC Form 670 should be submitted sufficiently in advance to allow adequate time for the clearance process should OIS determine that clearance is required. (2)

If OIS determines that the burden change is insignificant, it will submit to OMB a Form OMB 83C, "Paperwork Reduction Act Change Worksheet," to implement the change. OIS will forward OMB's "Notice of Approval" to the IMC when it is received. (3)

The program offices are expected to update each affected clearance extension when it is renewed with the revised description of the information collection and its burden change. (4)

## Modified Procedures for Generic Clearances (G)

NRC has several generic clearances for information collections that must be issued quickly but that cannot reasonably go through the lengthy OMB approval process. These include, but are not limited to, requests to Agreement States, generic communications, and customer satisfaction surveys. Interaction between NRC and the Agreement States is conducted on a continuous basis, often without written communication. The generic clearances for generic communications and customer satisfaction surveys generally require written or electronic responses and are handled differently. Guidance for processing these information collections is included in Exhibit 16, "Guidance for Processing Generic Communications and Responding to Comments," and Exhibit 17, "Guidance for Processing Customer Satisfaction Surveys Under Generic Clearance." (1)

Such information collections do not go through the standard comment process, except as a general overview comment process when the clearance is renewed. Therefore, special procedures are required for handling any comments received on proposed information collections. Therefore, if a comment is received on any proposed generic communication published in the *Federal Register* for comment (e.g., a proposed generic letter), to ensure compliance with OMB's notice and comment procedures, staff shall follow the steps outlined in Exhibit 16 in responding to the comment. (2)

## Procedures for Obtaining OMB Approval of Customer Satisfaction Surveys (H)

NRC has obtained OMB approval of a generic clearance that may be used to quickly clear proposed surveys to determine users' satisfaction with NRC's services. These simple surveys generally consist of responding to a question by selecting a satisfaction level on a rating scale. OMB reviews these proposed surveys on an

Procedures for Obtaining  
OMB Approval of Customer  
Satisfaction Surveys (H) (continued)

expedited basis, generally within 2 weeks. The clearance may not be used for any questions posed to evaluate a program. (1)

Complete procedures for developing acceptable questions with a rating scale and for preparing the information that must be submitted to OMB for its approval are contained in "Guidance for Processing Customer Satisfaction Surveys Under Generic Clearance" (Exhibit 17). (2)

Procedures for Obtaining a  
Commission Override of an  
OMB-Disapproved Information  
Collection (I)

Upon notice from the Chief Information Officer (the DEDIA) of OMB's disapproval of an information collection, an office director or a regional administrator may recommend to the EDO that the Commission override OMB's decision. The office director or the regional administrator shall submit to the EDO a staff paper addressing the issues raised by OMB, including a draft letter from the Chairman to the Director of OMB informing OMB of the Commission's decision to override and the reasons for that decision. Include OGC and OIS on the concurrence of the paper and letter to OMB. (1)

The EDO may recommend to the Commission that it override the OMB decision by forwarding the staff paper to the Commission. (2)

When the Commission completes action on the paper, the Office of the Secretary (SECY) will issue a staff requirements memorandum (SRM) informing staff of the Commission's decision. If approved, the staff should forward the final letter going to OMB to SECY for the Chairman's signature. (3)

Procedures for Obtaining a  
Commission Override of an  
OMB-Disapproved Information  
Collection (I) (continued)

When OMB receives the Chairman's letter, it will provide NRC an approval number that will be valid for the requested period, up to 3 years, at which time a renewal will be required. (4)

When the Commission overrides an OMB disapproval decision, the document imposing the information collection must include this statement: "This information collection has been approved by a majority vote of the Commissioners of the U.S. Nuclear Regulatory Commission pursuant to authority granted by Pub. L. 104-13. The OMB approval number is 3150-XXXX. The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number." (5)

Procedures for Exempting From  
Prior OMB Approval Collections of  
Information Imposed on Ten or More  
Persons, Licensees, or Other Non-Federal  
Organizations Because of an Urgent Need  
To Protect the Public Health and Safety (J)

Emergency collections of information are exempt from prior OMB approval only in those rare instances when it is judged that an emergency action is needed to protect public health and safety. (1)

Emergency collections of information are not authorized unless the responsible NRC office director or regional administrator approves the use of the emergency collection. (2)

Procedures for Exempting From  
Prior OMB Approval Collections of  
Information Imposed on Ten or More  
Persons, Licensees, or Other Non-Federal  
Organizations Because of an Urgent Need  
To Protect the Public Health and Safety (J)  
(continued)

The instrument used to impose an emergency information collection shall display the following statement, or its equivalent:  
(3)

This Generic Letter (Bulletin, etc.) contains information collections that are covered by the Office of Management and Budget clearance number 3150-0012, which expires "(expiration date)." The burden to the public for these (voluntary/mandatory) information collections is estimated to average \_\_\_\_\_ hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Send comments regarding this burden estimate or any other aspect of these information collections, including suggestions for reducing the burden, to the Records and FOIA/Privacy Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV); and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0012), Office of Management and Budget, Washington, DC 20503.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.



Procedures for Exempting From  
Prior OMB Approval Collections of  
Information Imposed on Ten or More  
Persons, Licensees, or Other Non-Federal  
Organizations Because of an Urgent Need  
To Protect the Public Health and Safety (J)  
(continued)

The issuing office or region shall promptly provide the emergency collection of information to OMB via the NRC Clearance Officer, OIS. (4)

Notification Requirements (K)

**Notification Requirement When a Rulemaking Does Not Contain an Information Collection (1)**

When a rulemaking does not contain a new or modified information collection, a negative declaration should be included in the Paperwork Reduction Act Statement. (Access the OIS site, IRSD, Information Collections for current Paperwork Reduction Act Statements.) A negative declaration is not required in any other document.

**Notification Requirement When an Information Collection Is Imposed (Other Than by Rule) on Nine or Fewer Persons, Licensees, or Other Non-Federal Government Organizations (2)**

When an office imposes an information collection that will affect fewer than 10 respondents, the following negative declaration must be included in the document used to impose the collection: "This information collection affects fewer than ten respondents. Therefore, Office of Management and Budget approval is not required pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)."

## Records Requirements for OMB Clearance Packages (L)

It is the responsibility of the program office to enter the draft OMB clearance package into ADAMS before submitting the package to OIS for review. Exhibit 18, "ADAMS Processing," describes the process to be followed.

## Glossary

**Adjustment.** Any change in burden because of fewer expected responses, change in the number of licensees, or staff re-estimates of burden.

**Burden.** The total time, effort, and/or financial resources required to generate, maintain, retain, disclose, or provide information, including that to—

- Read or hear and understand instructions
- Develop, modify, construct, copy, or assemble any materials or equipment needed solely to respond to the request
- Develop, acquire, install, or utilize technology and systems for the purpose of collecting, validating, verifying, processing, maintaining, disclosing, or reporting information
- Compile information from records and/or conduct tests, interviews, inspections, polls, observations, or other activities necessary to obtain the information
- Train personnel to respond to an information collection
- Organize the information into the requested format
- Maintain, disclose, disseminate, or report the information
- Review the accuracy and appropriateness of the information
- Respond to any followup request for clarification, further information, or verification

An information collection conducted or sponsored by a Federal agency that is also conducted or sponsored by a State, local, or tribal government is presumed to impose a Federal burden

## Glossary (continued)

except to the extent that the agency shows that such State, local, or tribal requirement would be imposed in the absence of a Federal requirement.

Burden does not include the time and financial resources necessary to comply with collections of information that would be incurred by persons in the normal course of their activities (e.g., technical requirements, including the installation of equipment or conducting inspections) if it can be demonstrated that these collections are usual and customary.

The burden imposed by all third-party collections must be included in the clearance package.

**Information.** Any statement of fact or opinion, whether in numerical, graphic, or narrative form, and whether oral, maintained on paper, electronically, or on other media. Information does not include—

- Identification of the respondent, the date, the respondent's address, and the reading of minimum information sufficient to understand the nature of the request for the purpose of an affidavit, oath, affirmation, certification, receipt, change of address, consent, or acknowledgment
- Samples of products or of any other physical objects
- Facts or opinions obtained through direct observation by an employee or an agent of the sponsoring agency or through nonstandardized oral communication in connection with such direct observations
- Facts or opinions submitted in response to general solicitations of comments from the public, published in the *Federal Register* or other publications, unless, as a condition to the agency's full consideration of the comment, a person is required to supply specific information

## Glossary (continued)

pertaining to the commenter other than that minimally necessary for self-identification

- Facts or opinions obtained from individuals, including those in control groups, in connection with treatment for or prophylaxis to prevent a clinical disorder, if such information is to be used for purposes of research on or direct treatment of that disorder, or for the interpretation of biological analyses of body fluids, tissues, or other specimens, or for identification or classification of such specimens
- A request for facts or opinions addressed to a single person
- Examinations designed to test the aptitude, abilities, or knowledge of the persons tested and related information for identification or classification in connection with such examinations
- Facts or opinions obtained or solicited at or in connection with public hearings or meetings
- Facts or opinions obtained or solicited through nonstandardized followup questions designed to clarify responses to approved collections of information

**Information collection.** The obtaining or soliciting of information by an agency from 10 or more persons by means of identical questions, whether such collection of information is mandatory, voluntary, or required to obtain a benefit. For purposes of this definition, "obtaining or soliciting information" includes any requirement or voluntary request for persons to obtain, maintain, retain, report, or disclose information to an agency, third parties, or the public; develop procedures and software; make evaluations to produce required reports; perform audits; or to post, notify, label, or similarly disclose information.

## Glossary (continued)

Collections of information do not include questions posed to other agencies, instrumentalities, or employees of the United States in their official capacities, unless the results are to be used for general statistical purposes. General purpose statistics are those collected chiefly for public and general Government uses, without primary reference to policy or program operations of the agency collecting the information.

**Information collection request.** The method by which an agency communicates the specifications for a collection of information to potential respondents. An information collection request may be made through regulations, policy statements, Orders, regulatory guides, bulletins, circulars, generic letters, standard technical specifications, branch technical positions, standard review plans, telephone surveys or requests, forms, oral communications, and other modes of communications.

**Insignificant burden criteria.** The following basic decision points reflect general guidance to determine whether the information collections reflect significant or insignificant burden changes and may be used by the program offices as a guide to when staff may be able to submit an NRC Form 670, "Information Required for Making an Insignificant Burden Determination To Support a Decision That OMB Clearance Is Not Required." However, these decision points may not be adequate for all determinations. OIS will make the final determination as to whether an information collection is significant or not after reviewing the document containing the information collection(s) and staff's NRC Form 670 submittal.

### **Actions That Are Always Significant**

- Changes to information collections that are controversial or for which we expect negative public comments
- Rules that increase the total burden of the 10 CFR part by 5 percent or more over the currently approved burden, unless the total burden is under 400 hours

## Glossary (continued)

- Rules that although they do not increase the total burden of the 10 CFR part by 5 percent, increase the burden by 20 percent in any section currently containing 25,000 hours or more
- Rules that modify the burden by 10,000 hours, regardless of whether it is less than a 5 percent change in burden
- Rules that concentrate the burden on a few licensees
- Rulemakings as a result of joint agency actions, such as a rule developed in collaboration with the Environmental Protection Agency (EPA)
- Rulemakings that impose new rather than amended requirements, regardless of the burden
- Information collection requirements that expand the universe of respondents, for example, impose burden on new categories of licensees
- Proposed rule collections on which the agency or OMB has received comment that the burden is significantly underestimated

**Determination of Insignificant Burden.** OIS, in conjunction with the Office of the General Counsel (OGC), determines on a case-by-case basis whether an information collection burden is insignificant or must be submitted to OMB. In general, the following criteria may be used to determine whether burden changes can be considered insignificant:

- Information collection requirements that have been requested by licensees that provide large cost savings with minimal burden changes
- Information collection changes that are administrative or merely clarify current requirements

## Glossary (continued)

- Information collections that increase or decrease the total annual burden per respondent minimally as compared to the current requirement
- Any information collection change that only deletes completed information collection requirements
- The collection does not expand the universe of licensees
- The change is not expected to generate controversy

**Exempted information collections.** The following collections of information are exempted from OMB clearance:

- Compulsory collections pursuant to the Antitrust Civil Process Act or Section 13 of the Federal Trade Commission Improvements Act of 1980
- Collections during the conduct of intelligence activities or conduct of cryptologic activities that are communications security activities
- Collections made during the conduct of a Federal criminal investigation or prosecution, during the disposition of a criminal matter, during the conduct of a civil action to which the United States or any official or agency is a party, or during the conduct of an administrative action or investigation involving an agency against specific individuals or entities

**Person.** An individual, partnership, association, corporation (including operations of Government-owned, contractor-operated facilities), business trust, legal representative, organized group of individuals, or a State, territory, or local government or branch thereof. A current employee of the Federal Government falls within this definition only for the purposes of collections of information outside the scope of his or her employment.



## Glossary (continued)

**Practical utility.** The usefulness of information to an agency, taking into account its accuracy, adequacy, and reliability, and the agency's ability to process the information in a useful and timely fashion. Actual timely use must be demonstrated.

**Programatic change.** A change in burden attributable to modified, new, or revised information collection requirements.

**Record.** Data maintained and/or retained, such as evaluations, reports, procedures, instructions, lists, plans, schedules, or programs.

**Recordkeeper.** Any entity (e.g., licensee, applicant, Agreement State) that NRC requests or mandates to keep records as defined under "Recordkeeping Requirement." If a third party must keep records (e.g., maintain exposure reports) or provide reports (e.g., provide a certification to the licensee), he is also considered to be a recordkeeper.

**Recordkeeping requirement.** A requirement imposed by an agency on persons to—

- document activities and keep records of that documentation, label devices or provide brochures, or generate and maintain specific information that may or may not be submitted to the agency that imposes the requirement or
- notify, disclose, or report to third parties, the Federal Government, or the public regarding such records

Recordkeeping requirements may be implied as in the case of surveys or tests for which records should be kept or for reports where analyses must be done and maintained to support conclusions submitted in a report.

## Glossary (continued)

**Reporting requirement.** A requirement imposed by an agency on a person or organization to provide specified information to the agency. Reports may be required at regularly prescribed intervals, such as monthly or annually, or be prepared on each occurrence, recurrence, or nonoccurrence of an event or situation of certain prescribed characteristics. Reporting requirements may implicitly or explicitly include related recordkeeping requirements.

**Respondent.** Each entity subject to NRC's information collection requirements or requests, whether they are recordkeeping, reporting, or third-party information collections.

**Response.** OMB defines responses as the number of submittals made to NRC or an Agreement State, plus the number of recordkeepers. Total responses should reflect responses (submittals), plus recordkeepers.

**Sponsor.** The Federal agency that collects the information, causes another organization or person to collect the information, contracts with a person to collect the information, or requires a person to provide information to another person. Collections of information undertaken by a recipient of a Federal grant or contract are considered to be sponsored by an agency only if—

- The recipient of a grant is collecting information at the specific request of an agency or
- The terms and conditions of the grant require that an agency specifically approve the collection of information or the collection procedures

**Supporting Statement.** A document that for each new, modified, discontinued, or renewal information collection identifies each information collection and addresses the need, use, and burden. The format and contents are set forth in Exhibits 4 and

## Glossary (continued)

5 of this handbook and on the NRC internal Web page under the heading "Information Collections" that is listed under the Information and Services Division (IRSD) in OIS.

**Ten or more persons.** The number of persons to whom an information collection request is addressed by an agency within any 12-month period, including any independent entities to which the initial addressees may reasonably be expected to transmit the request during that period. This category includes independent State or local entities and separately incorporated subsidiaries or affiliates but not employees of the respondent within the scope of their employment or contractors engaged for the purpose of complying with the information collection request. It is presumed that—

- Any recordkeeping or reporting requirement contained in a rule of general applicability involves 10 or more persons
- Any information collection request addressed to all or a substantial majority of an industry involves 10 or more persons

**Third-party collections.** Any voluntary or mandatory requirement for a person to notify, disclose, or provide information to other persons, third persons, or the public, or to require other persons to maintain records. Third-party disclosures include labeling, self-certification, public recordkeeping, conveying information between third parties (such as requiring licensees to furnish dose data to their employees), and directly conveying information to State or local governments. Any requirement for licensees or individuals to report to State or local governments or for a State to maintain information for Federal inspection is considered a third-party collection. The only exception to the definition of "third-party collections" is any request or directive for a person to provide a label or otherwise disclose information completely supplied by the agency (e.g., posting of NRC Form 3, "Notice to Employees").

## Exhibit 1

### Instructions for Preparing a *Federal Register* Notice

(*Federal Register* notices are subject to change. Therefore, staff should access the internal NRC Web page and select “Services” and “Information Collections” or “OIS” under “NRC Organization” and “IRSD/Info Collections” for the current *Federal Register* format.)

The content of a *Federal Register* notice (FRN) varies slightly for the draft and final FRNs for a clearance renewal package and for the proposed and final rule FRNs. For proposed rules, the required information is captured in the Paperwork Reduction Act Statement in the rule Statement of Considerations, rather than in a separate FRN. Regardless of where the information is displayed, the guidance below indicates the information that should be included for each entry.

**Type of Submission:** [new, revision, or extension]

Proposed and Final Rules:

This entry will always be indicated as “New” or “Revision.” For rules that modify, add, or delete information collections, indicate “Revision.” For new regulations or complete revisions to an existing regulation, for example, the complete revision to Part 35, indicate “New.” For revisions to existing regulations that add a new form, for example, NRC Form 664, “General Licensee Registration,” use the following format:

Type of submission: 10 CFR Part nn - Revision; NRC Form nnn - New.

Clearance Extensions:

If there are no changes other than revised costs because of fee rule revisions, indicate “Extension.” If there are no substantive changes, but there is a change in burden attributable to changes in the numbers of licensees, indicate “Revision.” (This submission will be called an “Extension with Burden Revision” in the supporting statement.)

If there are changes because of the incorporation of rule changes, revisions to the information captured on a form, re-estimates of burden per requirement or respondent,

## Exhibit 1 (continued)

indicate "Revision." (This submission will be called a "Revision" in the supporting statement.)

### **Title of the information:**

#### Proposed and Final Rules:

Indicate "10 CFR Part(s) nn, 'Title of the Rulemaking,' Proposed (or Final) Rule." If NRC forms are also affected by the rulemaking, add "and NRC Form nn, 'Name of Form(s)'."

#### Clearance Extensions:

Indicate "10 CFR Part, 'Name of Part' " or "NRC Form nn, 'Name of Form'," or name of other collection.

### **Current OMB Approval Number:**

OMB Clearance Number or "None" if this is a new collection.

### **The form number if applicable:**

NRC Form nn, or "Not applicable."

### **How often the collection is required:**

The collection frequency for each information collection, along with a brief description of the collection, for example, "Event reports are submitted upon occurrence of a significant event."

### **Who will be required or asked to report:**

Provide a brief description of the respondents, for example, "Power Reactor licensees who request a license amendment."

## Exhibit 1 (continued)

### **An estimate of the number of annual responses:**

The total number of annual responses. This number should match the number of responses indicated in the supporting statement. (Note that “responses” is not necessarily equivalent to “respondents.” A respondent may submit many or fewer than one response annually.)

### Clearance Extensions and New Non-Rule Collections:

OMB counts recordkeepers as responses. Therefore, the number of responses should state, for example, “12,000 (9,000 responses + 3,000 recordkeepers).”

### Rulemakings:

The number of recordkeepers has already been included in the number of total responses for the overall clearance. Therefore, to avoid double-counting recordkeepers, do not include them when indicating the number of responses for rulemakings.

### **The estimated number of annual respondents:**

The number of individuals who will respond annually. See “annual responses” above. For clearance renewals, the number of respondents is the universe of respondents. For surveys, it is the number of expected respondents. For example, if a survey is sent to 120 licensees and NRC expects a response rate of 50 percent, the number of respondents is 60.

For rulemakings, the number of respondents is the number of individuals affected by the proposed revisions. If the rulemaking would add a new category of licensees, this fact should be indicated. The following is an example for a rule that would affect certain current licensees and add certain Category II licensees: “68 current licensees plus 5 Category II licensees.”

If the rule would eliminate the requirements for certain licensees, or a category of licensees, the response should indicate the reduction, for example, “A reduction of 5 Category II licensees.”

## Exhibit 1 (continued)

### **An estimate of the total number of hours needed annually to complete the requirement or request:**

#### All Clearance Packages:

Indicate the total burden hours for the collection, followed by a breakout of total reporting hours and burden per response, plus the total recordkeeping burden and a breakout of burden per recordkeeper.

#### Rulemakings only:

Rule changes may affect more than one clearance. If so, separate the burden totals for each clearance. Use the format below for each clearance burden total and preface the total burden by the 10 CFR part or form. Rulemakings may also include a one-time annualized burden to implement the rule with a brief description of the requirement.

The following is a suggested format for a rule that modifies one clearance and involves 3,000 annual responses from 3,000 respondents and 3,000 recordkeepers:

12,000 (9,000 reporting hours [3 hours per respondent] + 6,000 recordkeeping hours [2 hours per recordkeeper]). There is also a one-time annualized burden of 3,000 hours or 1 hour to each licensee to revise relevant procedures.

### **An indication of whether Section 3507(d) of Pub. L. 104-13 applies:**

For clearance renewals and new non-rule collections: "Not applicable." For rulemakings: "Applicable."

### **Abstract:**

For clearance renewals, new non-rule collections, and new 10 CFR parts, provide a general overall description of the information collection requirements, the respondents affected, whether the collection is mandatory or voluntary, and what use NRC will make of the information. For rulemakings, the description should relate only to the changes being made.

## Exhibit 1 (continued)

### **Concurrences:**

The program office should obtain all program office concurrences before submitting the OMB clearance package to OIS. Concurrence in a FRN indicates concurrence in the FRN and the associated supporting statement (OMB Clearance Package). The clearance package should be concurred in by the originator and by appropriate staff in another program office if the information collections involve more than one office, appropriate management for each office involved, and the office Information Management Coordinator(s) before the package is forwarded to OIS for review. OIS will obtain OGC concurrence for all controversial collections, for example, Parts 26 and 35, when all outstanding issues with the package have been resolved.



## Exhibit 2

### Paperwork Reduction Act Statement Procedures

All documents containing information collections must have a Paperwork Reduction Act Statement (PRAS). Such documents include, but are not limited to, rules, policy statements, generic communications, regulatory guides, surveys, questionnaires, and Orders. If there are no information collections, the PRAS in rules must contain a negative declaration. Additionally, documents that are cleared generically, for example, the generic communication program must contain a negative declaration. A negative declaration is not required for other documents.

All current PRAS formats may be accessed on NRC's internal Web site under the heading "Information Collections" that is listed under the Information and Services Division (IRSD) in OIS. Except for rulemakings, PRASs are generally straightforward and may be pulled directly from the Web site. Therefore, only the PRAS formats for rulemakings are addressed in MD 3.54.

#### **Proposed Rules Amending, Deleting, or Adding New Information Collections:**

The PRAS for proposed rules containing information collections incorporates the information required to be published in the *Federal Register* for the OMB clearance package. Because the comment period for the proposed rule and the OMB clearance package may not be the same, the "DATES" section of the Statements of Consideration in the proposed rule should reflect the two comment periods as formatted below:

**DATES:** Submit comments on the rule by **(INSERT DATE \_\_ DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER*)**. Submit comments specific to the information collections aspects of this rule by **(INSERT DATE 30 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER*)**. Comments received after the above dates will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after these dates.

Additionally, the method of submitting comments and the contacts are different for the rule and the OMB clearance package. Therefore, the "ADDRESSES" section of the Statements of Consideration in the proposed rule should reflect the separate contacts and methods of submitting comments as formatted below:

## Exhibit 2 (continued)

**ADDRESSES:** You may submit comments on the rule by any one of the following methods (methods specified for the rule)....

You may submit comments on the information collections by the methods indicated in the Paperwork Reduction Act Statement.

For all other OMB clearance packages, OIS signs the *Federal Register* notice, thereby signifying agreement that the OMB clearance information is correct. Because OIS no longer signs this separate FRN for the proposed rule clearance, OIS's concurrence in the rulemaking constitutes OIS's agreement that the information collections stated in the PRAS are correct and consistent with the OMB supporting statement. For controversial rules, OIS obtains necessary OGC concurrence in the information collection provisions before concurring in the rule. Proposed rules are placed on hold with ADM until publication to ensure OIS final review of the rule for PRAS consistency with any subsequent changes made in the OMB clearance package.

All current PRASs and wording for the "DATES" and "ADDRESSES" section are available at the above-referenced Web site.

## Exhibit 3 OMB Clearance Flow Process

### **CLEARANCE EXTENSION PACKAGES AND NEW COLLECTIONS OTHER THAN RULEMAKINGS:**

The Records and FOIA/Privacy Services Branch (RFPSB), OIS, initiates the clearance extension process by sending the responsible IMC the following:

- NRC Form 406, "Request for Review of OMB Information Collection Requirements"
- Supporting statement and *Federal Register* notice (FRN) (annotated as necessary) or associated ADAMS accession numbers for the previous clearance renewal
- NRC Form 670, "Information Required for Making an Insignificant Burden Determination To Support a Decision That OMB Clearance Is Not Required," prepared for rulemakings during the clearance period
- ADAMS accession numbers for any supporting statements prepared for rulemakings during the clearance period

(Above steps not applicable to new non-rule collections)

Program Offices -

- prepare draft supporting statement
- prepare 60-day FRN
- secure all office concurrences, including responsible IMCs
- forward package to RFPSB through the IMC

RFPSB -

- notices the information collections in the *Federal Register* for 60 days
- places the FRN and supporting statement on the NRC World Wide Web site

### Exhibit 3 (continued)

- provides the program office contact and the IMC any comments received from the public

#### Program Offices -

- prepare the final supporting statement and 30-day FRN
- specifically respond to each public comment under “Consultations with the Public” in the supporting statement, modifying the supporting statement, if necessary
- secure all office concurrences, including responsible IMC's
- prepare the certification with the signature of a branch chief or a higher level official
- forward package to RFPSB through the IMC

#### RFPSB -

- prepares and attaches the supplementary paperwork
- completes the concurrence process
- forwards the clearance package to OMB
- places the FRN and supporting statement on the NRC World Wide Web site
- notices the information collection in the *Federal Register* for 30 days
- ensures all documents are in ADAMS

#### OMB -

- makes a decision on the information collection within 60 days of receipt

#### RFPSB -

- adds OMB approval document to ADAMS package

### Exhibit 3 (continued)

#### **RULEMAKINGS:**

##### **Proposed Rule:**

Program offices -

- prepare draft supporting statement for the proposed rule

RFPSB -

- works with the program office to finalize the supporting statement and information to be included the Paperwork Reduction Act Statement (PRAS)

Program Offices (in advance of publication) -

- finalize supporting statement and PRAS
- secure all office concurrences, including the responsible IMC's
- forward supporting statement, rule, and certification to RFPSB through the responsible IMC

RFPSB -

- prepares and attaches the supplementary paperwork
- completes the concurrence process
- forwards the clearance package to OMB
- places the supporting statement and the rule on the NRC World Wide Web site
- ensures all documents are in ADAMS

OMB -

- makes a decision on the information collection within 60 days of receipt

### Exhibit 3 (continued)

#### RFPSB -

- adds OMB approval document to ADAMS package

If OMB does not approve the collection at the proposed rule stage, NRC must submit the information collections contained in the final rule to OMB for approval.

#### **Final Rule:**

#### Program Offices -

- specifically address in the Statements of Consideration any comments received on the information collections contained in the proposed rule, including any received from OMB
- Prepare a draft supporting statement if the information collections contained in the final rule are revised in response to public comments

#### RFPSB -

- works with the program office to finalize the supporting statement and to prepare the FRN for the OMB clearance package

#### Program Offices -

- complete the supporting statement and FRN
- secure all office concurrences, including the responsible IMC's
- forward the supporting statement, FRN, rule, and certification to RFPSB through the responsible IMC
- obtain a Commission affirmation vote on the rule

#### RFPSB -

- places publication of the rule on hold with ADM until OMB clearance is received

### Exhibit 3 (continued)

- prepares and attaches the supplementary paperwork
- completes the concurrence process
- forwards the clearance package to OMB
- notices the information collection in the *Federal Register*
- places the supporting statement, FRN, and the rule on the NRC World Wide Web site
- Ensures all documents are in ADAMS

#### OMB -

- makes a decision on the information collection within 60 days of submittal

#### Program Offices -

- obtain an affirmation vote from the Commission
- publish the rule in the *Federal Register*

#### RFPSB -

- adds OMB approval document to ADAMS package

If OMB disapproves the information collections, the program office may consider the override procedures.

## Exhibit 4

### Content of a Supporting Statement for the Collection of Information

(The supporting statement presented below is exactly  
as it should be formatted.)

[DRAFT (or FINAL) for non-rules] OMB SUPPORTING STATEMENT FOR  
TITLE (Title of Rulemaking, 10 CFR Part, Survey, etc.)  
3150-nnnn (OMB approval numbers for all affected clearances)  
REVISION (rulemaking), or  
NEW COLLECTION (collection other than a rulemaking or new 10 CFR Part), or  
EXTENSION REQUEST (extension with no changes other than dollar costs), or  
REVISION TO CLEARANCE EXTENSION (extension with programmatic changes), or  
EXTENSION RENEWAL WITH BURDEN ADJUSTMENT (extension w/non-  
programmatic changes [adjustments])

#### Description of the Information Collection

“Description” should include a paragraph describing the information collection in general.

**For collections other than rulemakings and extensions for existing regulations,** for example, surveys, questionnaires, forms, and policy statements, the description of the collection should be as detailed as possible for each specific application, recordkeeping, or reporting requirement.

**For rulemakings and clearance extensions for existing regulations,** include a general description of the information collection and any information leading to the decision to collect this information. A detailed description of each specific information collection should be included under “Need for and Practical Utility of the Collection of Information.”

**For clearance extensions only,** if the burden has changed since the last clearance approval solely because of an adjustment in the number of licensees or a better burden estimate (not as a result of a rulemaking), include a statement to that effect as a final paragraph under “Description.” If OMB has approved the burden for any final rules,



## Exhibit 4 (continued)

include a brief description of the rules and indicate that their burden has already been included.

### A. JUSTIFICATION

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

Each subsection containing an information collection should be listed separately and should contain a description of the information collection and the reason the information is needed. This description could include incidents that have occurred that have necessitated initiating a rulemaking or initiating a survey to determine whether a rulemaking is necessary. Include any legal or administrative requirement that necessitates the collection. If the burden for the section is cleared under another clearance number, for example, one for a form, list the section number, "Cleared under OMB clearance number 3150-nnnn," and then describe the section requirements.

The records retention period should be specified for each recordkeeping requirement, and the reporting frequency should be specified for each report.

#### 2. Agency Use of Information

Indicate how, by whom, and for what purpose the information is to be used. Except for new collections, indicate the actual use the agency has made of the information collected under the current clearance.

#### 3. Reduction of Burden Through Information Technology

Indicate the percentage of responses that are collected electronically. If none are received electronically, so indicate. Describe any consideration of the use of improved information technology to reduce the burden and any technical or legal obstacles to reducing the burden. If you do not have specific information for this entry, use the following standard wording and modify it accordingly:

"There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. NRC issued a regulation on October 10, 2003 (68 FR 58792), consistent with the

## Exhibit 4 (continued)

Government Paperwork Elimination Act, which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, special Web-based interface, or other means. It is estimated that approximately xx % of the potential responses are filed electronically.”

If information technology cannot be expected to reduce the burden, replace the last sentence above with the following:

“However, because of the types of information and the infrequency of submission, the reports do not readily lend themselves to the use of technological collection techniques for submission.”

### 4. Effort to Identify Duplication and Use Similar Information

Explain why any similar information already available cannot be used or be modified for use. If respondents are required to both report and maintain the same information, explain why this is necessary.

Describe efforts to identify duplication within NRC requirements and among other Federal agency requirements. The description should include efforts to eliminate duplication, for example, the rewriting of 10 CFR Part 21 and 10 CFR 50.55e to eliminate duplicative requirements, the consolidation of multiple forms into one form to report requirements mandated by several 10 CFR parts, or the elimination of data elements that can be obtained by other means.

If there is no duplication of requirements, include the statement “There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.”

### 5. Effort to Reduce Small Business Burden

10 CFR 2.810 defines the criteria for determining whether a licensee qualifies as a small business. If affected licensees do not qualify as a small business, state “These information collection requirements (or information collections, if not required by regulation) do not affect small businesses, as defined in 10 CFR 2.810.

## Exhibit 4 (continued)

If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden. An acceptable format for collections that involve small businesses follows:

“Many \_\_\_\_\_ licensees are small businesses. Efforts have been made to keep the requirements for information to a minimum. However, since the consequences of a mishap are likely to be the same for large and small entities, it is not feasible to further reduce the burden on small licensees by less frequent recordkeeping or reporting and still protect the health and safety of the public.”

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

Describe the impact to the agency, specific program, and other areas, if the information is not collected or is collected less frequently. Include any technical or legal obstacles to reducing burden.

7. Circumstances That Justify Variation from OMB Guidelines

Explain any special circumstances that require the collection to be conducted in a manner that is inconsistent with OMB's guidelines. Address each variation specifically. OMB variations consist of the following:

1. Requiring more than one original and two copies of a report to be submitted
2. Requiring a written report in fewer than 30 days
3. Reporting more frequently than quarterly
4. Retaining records longer than three years

8. Consultations Outside the NRC

**For all clearance packages:** OMB requires consultation with respondents at least once every three years. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping requirements, disclosure or reporting

## Exhibit 4 (continued)

format, estimated burden, and on the data elements to be recorded, disclosed, or reported.

Describe all contacts with industry groups and licensees, workshops and meetings held, pilot programs, requests for comments, and other interactions, that were used in developing the information collection.

OMB expects that the agency will consult with a sufficient number of interested parties on its estimated burdens to be able to establish an average burden based on the range of burden estimates received. Such consultations for both rulemakings and clearance extensions should be described in detail, indicating the dates of the consultations, the names of the contacts, and a general summary of the agency's findings. These consultations may be made by telephone or in meetings or workshops.

**Clearance extensions - Draft supporting statement:** Indicate that "Opportunity for public comment has been published in the *Federal Register*."

For clearance extensions, if there is a significant change in the burden per respondent, other than because of a change in the number of respondents, OMB expects agencies to conduct a survey of nine or fewer licensees to verify the burden assumptions.

When such surveys are conducted, this section should indicate the number of individuals contacted and the results of the survey. Staff should ensure that those surveyed represent a statistically valid sample, that is, for information collections that impose a varying burden dependent on the type of respondent, staff should include a representative sample from each main type of affected respondent. Staff should also provide detailed information to the IMC and OIS as a separate background document that consists of the name, title, and telephone number of the persons contacted, the specific questions asked, and the response from each person contacted. This information will be provided to OMB if the Desk Officer requests it when he or she reviews the final clearance package.

If OMB in its "Notice of Action" on the existing clearance renewal filed comments that have not been resolved, address the comments in the following clearance extension submittal, or as OMB specified in its "Notice of Action." Normally, this conditional approval is received only in the case of a new, or completely revised, regulation, which is then addressed in the first clearance renewal.

## Exhibit 4 (continued)

**Clearance extensions - Final supporting statement:** Indicate that “Opportunity for comment was published in the *Federal Register* on (date) (FR citation).” If no comments were received, so state. Otherwise, address each specific comment received that pertains to information collections, including any forwarded to NRC from OMB, and attach all comment letters.

**Proposed Rules:** Indicate that “Opportunity for public comment has been published in the *Federal Register*.”

OMB expects that there will be some attempt to verify burden assumptions for revised and new requirements. This verification may be through pilot programs, request for comments, the rule forum, surveys of fewer than 10 individuals, or other means. If there is no effort to verify the burden assumptions, OMB may require that proposed rules be resubmitted to OMB at the final rule stage to review any comments on the information collection requirements.

If a survey is conducted to obtain a burden estimate, this section should indicate the number of individuals contacted and the results of the survey. Staff should maintain detailed information as a separate background document that consists of the name, title, and telephone number of the persons contacted, the specific questions asked, and the response from each person contacted. This information must be available if the OMB Desk Officer requests it.

**Final Rules:** Indicate that “Opportunity for comment was published in the *Federal Register* on (date) (FR citation).” If no comments were received, so state. Otherwise, address each specific comment received that pertains to information collections, including any forwarded to NRC from OMB, and attach all comment letters. The comments may be addressed in the final Statements of Consideration in lieu of in the supporting statement. However, each comment relating to any information collections must be specifically addressed in the final rule, and the pages in the rulemaking where each comment is addressed must be referenced in the supporting statement.

If OMB has filed comments on the proposed rule in the form of a “Notice of Action,” address comments in this section. In this case, a clearance package must be submitted to OMB at the final rule stage with the OMB comments addressed in the preamble to the rule.

## Exhibit 4 (continued)

### 9. Payment or Gift to Respondents

Explain any decision to remunerate respondents, other than payment to contractors or grantees for services rendered. If no payment or gift is applicable, indicate "Not applicable."

### 10. Confidentiality of Information

Describe any assurance of confidentiality provided to respondents for information that is proprietary, involves trade secrets, or private information. Indicate any statutes, regulations, or agency policies that form the basis for the assurance.

If confidential information is requested, the following (or similar) statement, if applicable, should be used: "This information is protected from public disclosure under 10 CFR 9.17(a)."

If the information will be kept in a Privacy System of Records, you may indicate that "This information is protected from public disclosure under the Privacy Act of 1974 and is handled in accordance with routine uses specified in the Privacy Act Statement."

If no confidential information is requested, state "No information normally considered confidential is requested."

### 11. Justification for Sensitive Questions

Provide additional justification for questions of a sensitive nature, such as criminal history, medical information, and other such private, personal information that one would not normally want disclosed. Include why the questions are necessary, the uses to be made of the information, the reason to be given to persons from whom the information is requested as to why the agency needs the information and how it will be protected, and the steps taken to obtain the respondents' consent.

### 12. Estimate of Annualized Burden and Burden Hour Cost

Provide the annualized burden hours and burden hour dollar cost to the affected public separately for recordkeeping and reporting requirements. For materials licenses, the burden and number of respondents should include both the NRC and

## Exhibit 4 (continued)

Agreement State licensees. Indicate the number of respondents (for reporting requirements), the frequency of response, the burden per response, and the basis for the burden hour estimate, for example, “staff’s best estimate” or “a sample.” If a cost rate is used other than that in the current license fee rule, indicate the basis for that cost. If the professional fee rate is used for all entries, it is not necessary to calculate the cost for each information collection in the supporting table. Total cost is sufficient. However, if varying costs are used, for example, clerical and professional, costs must be itemized in the “Cost” column of the table. The example table format includes the cost column, even though it is costed entirely at the professional rate. The column is included for format purposes only. Include under “Estimate of Other Additional Costs” any cost for contracting out information collection activities.

**For rulemakings and clearance extensions of current regulations**, indicate the burden in the form of reporting and recordkeeping tables, followed by burden hour and cost totals. Include each section listed under “Need for the Collection of Information.” If a section’s burden is combined with that of another section or is covered in another clearance, so indicate.

For all rulemakings, evaluate the proposed burden changes for modified and discontinued information collections for consistency against that for the currently cleared collections. Show the change in burden and/or number of responses for each modified or deleted section. If the rule expands the universe of recordkeepers, include the number of added recordkeepers to the number of responses. (See example under “Part 35 Totals” on the following page, which includes only the additional recordkeepers, not all recordkeepers.) Show all reductions in burden and/or responses in parentheses. Include all burden added by any new information collections. Ensure that the number of licensees affected is consistent with the current clearance approval. If it is not, explain the reason for the difference.

If a rulemaking will modify the information collection requirements contained in several 10 CFR parts or NRC forms (and, therefore, several OMB clearance numbers are affected), the burden changes for all 10 CFR parts or forms that have been modified or contain new information collections must be included in the table. Each separate clearance should be separately totaled. A summary paragraph describing the burden changes may also be included. Annualize one-time burdens over the period they will be implemented (for example, a one-time

### Exhibit 4 (continued)

requirement imposed on 104 licensees that is expected to be fully implemented over a 10-year period would result in a burden imposed on an average of 10 licensees annually). Explain the annualization in a footnote to the table if it is not clear.

Implementation of a performance-based rule, for example, the Maintenance Rule, may greatly increase the time a licensee must spend providing assurance data to NRC inspectors. In this case, licensee burden for NRC inspection effort must be included.

For all clearance submittals, include the number of respondents affected. For clearance renewals, the number of respondents equals the universe of potential respondents. For rulemakings, the number of respondents equals the number of respondents affected by the rule changes. For rules, this usually is a subset of the current respondents unless the rule expands the universe of respondents or recordkeepers subject to the requirements.

For clearance extensions, indicate the number of responses (number of reporting responses plus the number of recordkeepers). For rulemakings, indicate the change in the number of responses, as appropriate. If the annualized burden is included in a table, this information may be included as the final line. Otherwise, include it in the writeup for Item 12 of the supporting statement.

**For surveys, questionnaires, policy statements, forms, and other generalized collections**, instead of including burden tables, the burden may be provided in explanatory recordkeeping and reporting paragraphs, each of which include the following calculation: Number of licensees X number of responses X burden per response = total burden X cost per hour = total cost.

Examples of table formats are presented on the following pages. These tables may be included at the end of the supporting statement with a note to “See Table \_\_\_ for burden data.”

These formats represent the standard OIS-approved methods of displaying the burden. In rare cases, OIS will approve, on a case-by-case basis, a modified table format where special circumstances may require it to accurately reflect the burden per entity.



## Exhibit 4 (continued)

(Rulemaking)

### ANNUAL REPORTING REQUIREMENTS

Section	Number of Respondents	Responses Per Respondent	Total Responses	Burden Per Response	Total Annual Burden Hours	Cost @ \$197/Hour
35.11(a)*	1	.33	.33	2,100	700	137,900
35.44	2	1	2	(10)	(20)	(3,940)
35.645	100	1	100	.5	50	9,850
35.647 (One-Time Annualized Implementation Burden Affecting 10 Licensees)	10	.33	3.33	300	1,000	197,000
TOTAL FOR PART 35 REPORTING:			106		1,730	\$340,810
NRC Form 313	10	1		7	70	\$13,790

\*The estimated burden assumes an average of 1 response will be submitted every 3 years.

### ANNUAL RECORDKEEPING REQUIREMENTS

Section	Number of Recordkeepers	Burden Hours per Recordkeeper	Total Annual Burden Hours	Cost @ \$197/Hr.
35.92(b)	2,200	6	13,200	2,600,400
35.406(b)	400	2	800	157,600
35.406(d) Burden included in 35.406(b)				
TOTAL FOR PART 35 RECORDKEEPING:			14,000	\$2,758,000

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 Handbook 3.54 Exhibits

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Exhibit 4 (continued)

PART 35 TOTALS:

Number of Responses: 306 (106 responses + 200 additional recordkeepers)\*  
 Number of Respondents: 300  
 Total Burden Hours: 15,730 hours (1,730 hours reporting plus 14,000 hours recordkeeping)  
 Total Burden Hour Cost: \$3,098,810 (15,730 x \$197/hr)

\*(Note to NRC staff: See explanation for derivation of number of responses on page before last.)

NRC FORM 313 TOTALS:

Number of Responses: 10  
 Number of Respondents: 10  
 Total Burden Hours/Cost: 70 hours/\$13,790

(Extension)

ANNUAL REPORTING REQUIREMENTS

Section	Number of Respondents	Response Per Respondent	Total Responses	Burden per Response	Total Annual Burden Hrs)	Cost @ \$197/Hr
35.12(b) Burden under OMB Clearance No. 3150-0120						
35.33(c) Burden under OMB Clearance No. 3150-0171						
35.33(a)	1	5	5	1	5	985
35.33(b) Burden included in 35.33(a)						
35.410(a)	4,800	1	4,800	.5	2,400	472,800
TOTAL FOR PART 35 REPORTING:			4,805		2,405	\$473,785

## Exhibit 4 (continued)

### ANNUAL RECORDKEEPING REQUIREMENTS

Section	Number of Recordkeepers	Burden Hours per Recordkeeper	Total Annual Burden Hours	Cost @ \$197/Hr.
35.92(b)	4,800	3	14,400	2,836,800
35.406(b)	400	2	800	157,600
35.406(d) Burden included in 35.406(b)				
<b>TOTAL FOR PART 35 RECORDKEEPING:</b>			<b>15,200</b>	<b>\$2,994,400</b>

TOTAL BURDEN/COST: 17,605 hours (2,405 hrs reporting plus 15,200 hrs recordkeeping)/\$3,468,185

TOTAL RESPONDENTS: 4,800

TOTAL RESPONSES: 9,605 (4,805 responses + 4,800 recordkeepers)

### 13. Estimate of Other Additional Costs

Include all costs **other than burden hour costs**, for example, contractor costs; purchase of computers, software, monitoring or testing equipment; and rental of records storage facilities. Cost should be split into two components: (a) total capital and start-up cost, annualized over the expected useful life of the equipment or services, and (b) annualized cost of operation and maintenance of equipment or services. Include the method used to estimate these costs. Do not include any purchase of equipment or services made before October 1, 1995.

OMB requires that NRC estimate the costs of records storage, including the cost of filing equipment. Because it would be extremely time-consuming to determine this cost, use the following generic wording in all clearance packages:

The quantity of records to be maintained is roughly proportional to the recordkeeping burden and therefore can be used to calculate approximate records storage costs. Based on the number of pages maintained for a typical clearance, the records storage cost has been determined to be equal to .0004 times the

### Exhibit 4 (continued)

recordkeeping burden cost. Therefore, the storage cost for this clearance is estimated to be \$\_\_\_\_\_ (number of recordkeeping hours X fee rate X .0004).

#### 14. Estimated Annualized Cost to the Federal Government

Provide the annualized cost to the Federal Government. Include any consultant, lab, or operational costs. These should be actual costs. The hourly rate for staff effort is tied to the billing rate in the fee rule, which is separately determined for materials licensees and reactor licensees. Applications that affect both categories of licensees should use the average between the two rates. The responsible IMC can provide the current fee rule rates. Government cost should include review of records and submitted reports, development (such as software for licensee response) followup effort, and any Government reports resulting from the review process.

Minimal additional Government cost incurred for inspecting records required to be maintained for inspection purposes, such as rulemaking changes to 10 CFR 50.55a, Codes and Standards, may be covered by the phrase: "These records are reviewed as a normal part of the routine inspection process and, therefore, incur minimal incremental cost to the Government." However, greatly increased inspection effort related to performance rules should be captured.

Include as the last sentence: "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

For each specific change, give the burden increase or decrease and explain the reason for each change, for example, proposed rule change, change in number of respondents, incorporation of final rule changes (extension packages), correction of a previous error, or staff's re-estimate of burden for the requirement. An example follows:

The burden estimated for section 50.11 was revised downwards from 40,200 to 38,000 hours based on a reduction in the number of exemptions requested because of NRC's endorsement of new Code Cases. The burden for section 50.48 was reduced from 10,010 to 9,050 hours because of a reduction in fire protection requirements for reactors undergoing decommissioning. The burden for

## Exhibit 4 (continued)

section 50.71 was increased from 5,500 to 6,000 hours because the original estimate failed to include the burden to non-power reactors.

### 16. Publication for Statistical Use

NRC does not normally publish information for statistical use. Therefore, include the statement, "This information will not be published for statistical use." If this information will be published for statistical use, follow the specific instructions at A. 16 in Exhibit 11, "OMB Instructions for the Supporting Statement for Paperwork Reduction Act Submissions."

### 17. Reason for Not Displaying the Expiration Date

The expiration date for OMB approval should be displayed on the collection except for regulations, regulatory guides, or electronic software distributed to licensees to aid them in submitting reports electronically. If the date is displayed, indicate "Not applicable" or "The expiration date is displayed." If the supporting statement is prepared for a rule, guide, or electronic submittal media, use the appropriate statement below:

"The requirement 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."

"The information collections contained in this regulatory guide are contained in a regulation. Revising the guide merely to update the expiration date unnecessarily expends scarce agency resources."

"It is impractical and too costly to revise and redistribute electronic submittal media to licensees merely to update the OMB approval expiration date."

### 18. Exceptions to the Certification Statement

If the program official has responded other than "Yes" or "N/A" to any of the certification statements on the NRC Form 620, "Program Official Certification for Proposed Collection of Information," explain the reason for the exception. Otherwise, state "There are no exceptions."

## Exhibit 4 (continued)

### B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This is normally not applicable. However, if this information does employ statistical methods, follow the specific instructions at B, "Collections of Information Employing Statistical Methods," in Exhibit 11, "OMB Instructions for the Supporting Statement for Paperwork Reduction Act Submissions."

## Exhibit 5

### Sample Supporting Statement for the Collection of Information

#### DRAFT OMB SUPPORTING STATEMENT FOR 10 CFR PART 60 DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGIC REPOSITORIES (3150-0127)

#### EXTENSION REQUEST

##### Description of the Information Collection

Part 60 requires States and Indian Tribes to submit certain information to the NRC if they (1) request consultation with the NRC staff regarding review of a potential repository site (60.62) or (2) wish to participate in a license review for a potential repository (60.63). Any person representing a State or Indian Tribe must also submit a statement of the basis for his or her authority to act in such representative capacity (60.65).

##### A. Justification

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

The Nuclear Waste Policy Act of 1982 (NWPA) and 10 CFR Part 60 contain detailed provisions for the participation of States and Indian Tribes in the process of siting and developing a high-level radioactive waste geologic repository. The NRC must follow many formal procedures and detailed schedules in meeting its responsibilities under the NWPA and 10 CFR Part 60. 10 CFR Part 60 does not require States and Indian Tribes to submit any proposals. This is strictly voluntary on their part, and only if they desire to do so would the information in question be required of them. The Director of the Office of Nuclear Material Safety and Safeguards must have complete information on State and Indian Tribal Plans for participation in order to accommodate State and Tribal desires for participation while at the same time following mandated procedures and schedules. In addition, where State and Tribal proposals for participation involve requests for funding, the justification for such requests must be documented in order to assure productive uses of NRC funds.

## Exhibit 5 (continued)

Section 60.62 states that the Director shall make NRC staff available to consult with representatives of States and affected Tribes regarding site review for an area approved by the President for site characterization. Section 60.62 also states that requests for consultation shall be made in writing to the Director. Only if States and Tribes wish to obtain these services would they be required to submit any supporting information.

Making NRC staff available for consultation with representatives of States and affected Indian Tribes represents potentially a major commitment of NRC resources. The Director must have a firm basis for approving this commitment of resources. A written request for consultation is the minimum requirement that could provide a firm basis for the commitment of NRC resources.

Section 60.63(a) states that whenever an area has been approved by the President for site characterization, a State or affected Indian Tribe may submit to the Director a proposal to facilitate its participation in the review of a site characterization plan and/or license application.

The proposal shall contain a description and schedule of how the State or affected Indian Tribe wishes to participate in the review, of what services or activities the State or affected Indian Tribe wishes NRC to carry out, and how the services or activities proposed to be carried out by NRC would contribute to such participation.

Section 60.63(b) states that the State or affected Indian Tribe should keep a record of its proposal to participate in the review of a site characterization plan and/or license application. The record documents the State's or Indian Tribe's position in case of a later challenge.

Section 60.65 states that any person who acts under this subpart (Subpart C) as a representative for a State (or for the Governor or legislature thereof) or for an affected Indian Tribe shall include in his request or other submission, or at the request of the Commission, a statement of the basis of his authority to act in such representative capacity.

Such a statement is necessary to assure NRC of the status of representatives. NRC must provide States and Indian Tribes numerous opportunities for participation in the site review and licensing procedures. It is a common practice



## Exhibit 5 (continued)

for States and Indian Tribes to be represented by legal counsel in dealing with Federal agencies. NRC must be assured of the authority of persons it deals with to represent States or Indian Tribes to avoid potential duplication and/or failure to transmit information to appropriate parties.

### 2. Agency Use of Information

The information requested will be reported to the Director of the Office of Nuclear Material Safety and Safeguards, who has programmatic responsibility for NRC's high-level radioactive waste program. It will be used by him to carry out requirements for States and Indian Tribes to participate in the siting and development of high-level radioactive waste geologic repositories. The Director has established a mechanism in the Division of High-Level Waste Management within his office to deal with State and Indian Tribe participation. Staff resources are available to assure that reported information is used in a timely and useful fashion. NRC usually sets a time limit of 60 days for review and action on funding requests.

### 3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. NRC issued a regulation on October 10, 2003 (68 FR 58792), consistent with the Government Paperwork Elimination Act, which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, special Web-based interface, or other means. However, currently no responses are submitted electronically because the non-recurrence of each individual collection makes it difficult to reduce the burden through the use of technology. Each submittal is unique and is unlikely to be developed from other compiled information sources.

### 4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

## Exhibit 5 (continued)

### 5. Effort to Reduce Small Business Burden

No small businesses are affected by the information collection requirements, but some Indian Tribes might be considered small entities. The NRC staff's established program to provide information exchange with States and Tribes could provide such Tribes with assistance in preparation of the requested information.

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

If the collection is not conducted, the Director will not have information that will enable him to carry out requirements to allow States and Indian Tribes to participate in the siting and development of high-level radioactive waste geologic repositories. The information collection requirements only apply to a single submittal.

### 7. Circumstances That Justify Variation From OMB Guidelines

There are no variations from OMB guidelines.

### 8. Consultations Outside NRC

On July 20, 1999, staff contacted Maurice Chavez, representative for the high-level waste issue, for the State of Nevada to obtain an estimate of the amount of time the State devoted to consultations with the NRC to (1) facilitate the State's participation in the ongoing site characterization for Yucca Mountain, (2) the amount of time required to submit a proposal to participate in the proceeding, and (3) the amount of time the State devoted to preparing a statement of their authority to act in this proceeding. On August 2, 1999, Tonto Chakotay of the Hopi Indian Nation provided similar information for affected Indian Tribes. NRC's averaged burden estimates are directly based on the information obtained from these consultations.

Opportunity for public comment on the information collection requirements has been published in the *Federal Register*.

Exhibit 5 (continued)

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

NRC provides no pledge of confidentiality for this collection of information.

11. Justification for Sensitive Questions

None.

12. Estimate of Annualized Burden and Burden Hour Cost

ANNUAL REPORTING BURDEN

Section	Number of Respondents	Responses per Respondent	Total Responses	Burden per Response	Total Annual Burden Hours	Cost @ \$197/Hr.
60.62	2	1	2	40	80	15,760
60.63(a)	2	1	2	80	160	31,520
60.65	2	2	4	1	4	788
Total			8		244	\$48,068

ANNUAL RECORDKEEPING BURDEN

Section	Number of Recordkeepers	Burden Hours per Recordkeeper	Total Annual Burden Hours	Cost @ \$197/Hr.
60.63(b)	2	.2	.4	79
Total			.4	\$79

TOTAL BURDEN HOURS: 244.4 hours (244 hrs. reporting + .4 hrs. recordkeeping)  
 TOTAL BURDEN HOUR COST: \$48,147 (244.4 hrs. X \$197/hrs.)  
 TOTAL RESPONSES: 10 (8 responses plus 2 recordkeepers)  
 TOTAL RESPONDENTS: 6

## Exhibit 5 (continued)

### 13. Estimate of Other Additional Costs

For licensees subject to 10 CFR Part 60, it is most likely that purchases of equipment and services were made before October 1, 1995, to achieve regulatory compliance with requirements not associated with this information collection, for reasons other than to provide information or keep records for the Government, or as part of customary and usual business or private practices.

The quantity of records to be maintained is roughly proportional to the recordkeeping burden and therefore can be used to calculate approximate records storage costs. Based on the number of pages maintained for a typical clearance, the records storage cost has been determined to be equal to .0004 times the recordkeeping burden cost. Therefore, the storage cost for this clearance is insignificant (.4 recordkeeping hours X \$197/hr. X .0004).

### 14. Estimated Annualized Cost to the Government

Section 60.62 involves NRC staff review of requests for consultation. This review should require no more than 40 hours of staff time per response. At \$197 per hour for staff time, the cost would be \$7,880 per respondent. The total for two responses is \$15,760.

Section 60.63 involves NRC staff review of proposals for participation in site review and licensing procedures. This review should require no more than 80 hours of staff time per response. At \$197 per hour, the cost would be \$15,760 per respondent. The total for two responses is \$31,520.

Section 60.65 involves NRC staff review of the statement of representation. This review should require no more than one hour of staff time per response. At \$197 per hour, the cost would be \$197 per response. The total for four responses would be \$788.

Total cost to the Government is \$48,068 (244 hours x \$197/hr). Costs are not anticipated to be recurrent and thus cannot reasonably be annualized. Rather, all costs are likely to be incurred within a year or two following selection of a repository site or submittal of a license application. These costs are fully recovered by NRC through appropriations from the Nuclear Waste Fund, which

### Exhibit 5 (continued)

was established by the Department of Energy pursuant to the Nuclear Waste Policy Act of 1982.

15. Reasons for Change in Burden

There is no change in burden.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The requirement is 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

There are no exceptions.

B. Collection of Information Employing Statistical Methods

Statistical methods are not used in this collection of information.

## Exhibit 6

### Sample Paperwork Reduction Act Statement for a Proposed Rule

Paperwork Reduction Act Statements (PRASs) are subject to change. Therefore, staff should access NRC's Internal Web page and select "Services" and "Information Collections" or "OIS" under "NRC Organization" and "IRSD/Info Collections" to ensure they are using the current proposed rule PRAS format.)

10 CFR Part 9, Public Records

#### **Statement of Considerations:**

**DATES:** Submit comments on the rule by (**INSERT DATE 75 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER***). Submit comments specific to the information collections aspects of this rule by (**INSERT DATE 30 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER***). Comments received after the above dates will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after these dates.

**ADDRESSES:** You may submit comments on the rule by any one of the following methods. Please include the following number [RIN 3150-AH12] in the subject line of your comments. Comments on rulemaking submitted in writing or in electronic form will be made available to the public in their entirety on the NRC rulemaking Web site.

Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

E-mail comments to [SECY@nrc.gov](mailto:SECY@nrc.gov). If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at 301-415-1966. You may also submit comments via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>. Address questions about our rulemaking Web site to Carol Gallagher 301-415-5905; e-mail at [CAG@nrc.gov](mailto:CAG@nrc.gov). Comments may also be submitted via the Federal rulemaking Portal at <http://www.regulations.gov>.

Fax comments to: Secretary, U.S. Nuclear Regulatory Commission at 301-415-1101.

You may submit comments on the information collections by the methods indicated in the Paperwork Reduction Act Statement.

## Exhibit 6 (continued)

Publicly available documents related to this rulemaking may be examined and copied for a fee at the NRC's Public Document Room (PDR),....

### **Paperwork Reduction Act Statement:**

This proposed rule contains new or amended information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq). This rule has been submitted to the Office of Management and Budget for review and approval of the information collection requirements.

*Type of submission:* Revision.

*The title of the information collection:* 10 CFR Part 9, "Public Records."

*The form number if applicable:* Not applicable.

*How often the collection is required:* On occasion.

*Who will be required or asked to report:* Submitters of information containing trade secrets or confidential commercial or financial information who have been notified that NRC has made an initial determination that the information should be disclosed.

*An estimate of the number of annual responses:* 10.

*The estimated number of annual respondents:* 10.

*An estimate of the total number of hours needed annually to complete the requirement or request:* 100 (10 hours per response).

*Abstract:* 10 CFR Part 9 is being revised to provide a submitter of information, who has designated that information to be trade secrets or confidential commercial or financial information, the right to be notified prior to the NRC disclosing that information, and given the opportunity to object to the disclosure and to provide a written statement that specifies all grounds why the information is a trade secret or commercial or financial information that is privileged or confidential. Section 9.28(b) would provide that if the submitter objects to the disclosure, he must provide a written statement within 15 days that specifies all grounds why the information is a trade secret or commercial or financial information that is privileged or confidential. This provision implements a

### Exhibit 6 (continued)

requirement of Executive Order 12600, Pre-disclosure Notification Procedures for Confidential Commercial Information (52 FR 23781), issued June 23, 1987.

The U.S. Nuclear Regulatory Commission is seeking public comment on the potential impact of the information collections contained in this proposed rule and on the following issues:

1. Is the proposed information collection necessary for the proper performance of the functions of the NRC, including whether the information will have practical utility?
2. Is the estimate of burden accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques?

A copy of the OMB clearance package may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. The OMB clearance package and rule are available at the NRC World Wide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html> for 60 days after the signature date of this notice and are also available at the rule forum site, <http://ruleforum.llnl.gov>.

Send comments on any aspect of these proposed information collections, including suggestions for reducing the burden and on the above issues, by (INSERT DATE 30 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER*) to the Records and FOIA/Privacy Services Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV) and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0043), Office of Management and Budget, Washington, DC 20503. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. You may also comment by telephone at 202-395-3087.



## Exhibit 6 (continued)

### Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

## Exhibit 7

### Sample *Federal Register* Notice for a Final Rule

(*Federal Register* notices are subject to change. Therefore, staff should access NRC's Internal Web page and select "Services" and "Information Collections" or "OIS" under "NRC Organization" and "IRSD/Info Collections" to ensure that they are using the current FRN format.)

[7590-01-P]

#### U. S. NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget (OMB) Review

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

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

1. Type of submission—new, revision, or extension: Revision.

### Exhibit 7 (continued)

2. The title of the information collection: 10 CFR Part 35, "Minor Modifications to Reporting Requirements for Byproduct Licenses," and NRC Form 313, "Application for Material License."
3. The form number, if applicable: NRC Form 313.
4. How often the collection is required: Applications for licenses may be submitted at any time. Event reports are submitted upon occurrence. Calibration reports are submitted within 30 days of the calibration.
5. Who will be required or asked to report: Physicians and medical institutions holding an NRC or Agreement State license authorizing the administration of byproduct material or radiation therefrom to humans for medical use.
6. An estimate of the number of responses: Part 35: 106 (35 from NRC licensees and 71 from Agreement State licensees); NRC Form 313: 10 (3 from NRC licensees and 7 from Agreement State licensees).
7. The estimated number of annual respondents: Part 35: 103 (33 NRC licensees and 70 Agreement State licensees); NRC Form 313: 10 (3 NRC licensees and 7 Agreement State licensees).

### Exhibit 7 (continued)

8. An estimate of the total number of hours needed annually to complete the requirement or request: Part 35 - 15,730 hours (1,730 hours for reporting [approximately 16 hours per response] plus 14,000 recordkeeping hours for 2,600 recordkeepers [approximately 5.4 hours per recordkeeper]; NRC Form 313 - 70 hours (approximately 7 hours per response).
  
9. An indication of whether Section 3507(d) of Pub. L. 104-13 applies:  
Applicable.
  
10. Abstract: 10 CFR Part 35, "Medical Use of Byproduct Material," is being modified to reduce the number of event reports required to be submitted under section 35.44. Section 35.647 is being modified to require more frequent reporting because of the more serious consequences associated with erroneous calibrations associated with Cybertronic devices. NRC Form 313, "Application for Materials License," will require more comprehensive information to be submitted on licensees who wish to possess these devices. Additional information is also required to be maintained on waste disposal and in inventory records. This information is used by the NRC to ensure that public health and safety is protected and that the possession and use of byproduct material is in compliance with license and regulatory requirements.

## Exhibit 7 (continued)

A copy of the supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance packages and rule are available at the NRC World Wide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer by (insert date 60 days after publication in the *Federal Register*):

Desk Officer's Name  
Office of Information and Regulatory Affairs (3150-0010, -0120)  
NEOB-10202  
Office of Management and Budget  
Washington, DC 20503

Exhibit 7 (continued)

Comments can also be submitted by telephone at 202-395-3087

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 11th day of May 2004.

For the Nuclear Regulatory Commission.

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Brenda Jo. Shelton, NRC Clearance Officer  
 Office of Information Services

DOCUMENT NAME: C:\FRNPT35

ACCESSION NUMBER: ML00612045

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	Originator	<input type="checkbox"/>	Office Mgmt.	<input type="checkbox"/>	Resp. IMC	<input type="checkbox"/>	OGC*	<input type="checkbox"/>	OIS	<input type="checkbox"/>
NAME							TRothschild		BShelton	
DATE										

OFFICIAL RECORD COPY

\*OGC concurrence required only for controversial information collections.

## Exhibit 8

### Form OMB 83-I, "Paperwork Reduction Act Submission"

#### PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: **Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request <b>U.S. Nuclear Regulatory Commission</b>	2. OMB control number <input type="checkbox"/> a. <b>3 1 5 0 - 0</b> <input type="checkbox"/> b. None
3. Type of information collection (check one) <input type="checkbox"/> a. New collection <input type="checkbox"/> b. Revision of a currently approved collection <input type="checkbox"/> c. Extension of a currently approved collection <input type="checkbox"/> d. Reinstatement, <b>without change</b> , of a previously approved collection for which approval has expired <input type="checkbox"/> e. Reinstatement, <b>with change</b> , of a previously approved collection for which approval has expired <input type="checkbox"/> f. Existing collection in use without an OMB control number	4. Type of review requested (check one) <input type="checkbox"/> a. Regular <input type="checkbox"/> c. Delegated <input type="checkbox"/> b. Emergency - Approval requested by (date): 5. Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> a. Yes <input type="checkbox"/> b. No
7. Title	6. Requested expiration date <input type="checkbox"/> a. Three years from approval date <input type="checkbox"/> b. Other (Specify):
8. Agency form number(s) (if applicable)	
9. Keywords	
10. Abstract	
11. Affected public (Mark primary with "P" and all others that apply with "X") <input type="checkbox"/> a. Individuals or households <input type="checkbox"/> d. Farms <input type="checkbox"/> b. Business or other for-profit <input type="checkbox"/> e. Federal Government <input type="checkbox"/> c. Not-for-profit institutions <input type="checkbox"/> f. State, Local or Tribal Government	12. Obligation to respond (Mark primary with "P" and all others that apply with "X") <input type="checkbox"/> a. Voluntary <input type="checkbox"/> b. Required to obtain or retain benefits <input type="checkbox"/> c. Mandatory
13. Annual reporting and recordkeeping hour burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs \$ _____ b. Total annual costs (O&M) \$ _____ c. Total annualized cost requested \$ _____ d. Current OMB inventory \$ _____ e. Difference \$ _____ f. Explanation of difference 1. Program change \$ _____ 2. Adjustment \$ _____
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") <input type="checkbox"/> a. Application for benefits <input type="checkbox"/> e. Program planning or management <input type="checkbox"/> b. Program evaluation <input type="checkbox"/> f. Research <input type="checkbox"/> c. General purpose statistics <input type="checkbox"/> g. Regulatory or compliance <input type="checkbox"/> d. Audit	16. Frequency of recordkeeping or reporting (check all that apply) <input type="checkbox"/> a. Recordkeeping <input type="checkbox"/> b. Third-party disclosure <input type="checkbox"/> c. Reporting <input type="checkbox"/> 1. On occasion <input type="checkbox"/> 2. Weekly <input type="checkbox"/> 3. Monthly <input type="checkbox"/> 4. Quarterly <input type="checkbox"/> 5. Semi-annually <input type="checkbox"/> 6. Annually <input type="checkbox"/> 7. Biennially <input type="checkbox"/> 8. Other (describe)
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: <b>301 - 415 -</b> _____

OMB 83-I

10/95

## Exhibit 8 (continued)

<p><b>19. Certification for Paperwork Reduction Act Submissions</b></p> <p>On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.</p> <p>NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8 (b) (3), appear at the end of the instructions. <i>The certification is to be made with reference to those regulatory provisions as set forth in the instructions.</i></p> <p>The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:</p> <ul style="list-style-type: none"><li>(a) It is necessary for the proper performance of agency functions;</li><li>(b) It avoids unnecessary duplication;</li><li>(c) It reduces burden on small entities;</li><li>(d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;</li><li>(e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;</li><li>(f) It indicates the retention periods for recordkeeping requirements;</li><li>(g) It informs respondents of the information called for under 5 CFR 1320.8 (b) (3)<ul style="list-style-type: none"><li>(i) Why the information is being collected;</li><li>(ii) Use of information;</li><li>(iii) Burden estimate;</li><li>(iv) Nature of response (voluntary, required for a benefit, or mandatory);</li><li>(v) Nature of extent of confidentiality; and</li><li>(vi) Need to display currently valid OMB control number;</li></ul></li><li>(h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions);</li><li>(i) It uses effective and efficient statistical survey methodology; and</li><li>(j) It makes appropriate use of information technology.</li></ul> <p>If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.</p>	
Signature of Senior Official or designee	Date
<p>Brenda Jo. Shelton, NRC Clearance Officer, Office of Information Services</p>	



## Exhibit 9 Summary of Information Collection Request

Title: 10 CFR Part 60, "Disposal of High Level Radioactive Waste in Geologic Repositories," Extension Request

Current Burden/Responses: 244 hours/8 responses

Proposed Burden/Responses: 244 hours/6 responses

Burden Attributable to Third-Party Collections: 244 hours

Frequency of Response: On occasion

Reasons for Changes in Burden/Responses:

There is no change in overall burden. However, the burden per response has been revised upwards from 30.5 hours to 40.7 hours per response.

Level of Concurrence:

Director, Division of Waste Management  
Office of Nuclear Material Safety and Safeguards

Recordkeeping Requirements in Accordance with the Retention Periods for Records Rule:

Record retentions are in accordance with standard retention periods.

Abstract:

10 CFR Part 60 requires States and Indian Tribes to submit certain information to the NRC if they request consultation with the NRC staff concerning review of a potential repository site or wish to participate in a license review or a potential repository. Representatives of States must submit a statement of their authority to act.

Exhibit 10  
Sample *Federal Register* Notice for a Pending  
Renewal or a Proposed Collection Other Than a  
Rulemaking With Instructions (Draft *Federal  
Register* Notice)

(*Federal Register* notices are subject to change. Therefore, staff should access the internal NRC Web page and select “Services” and “Information Collections” or “OIS” under “NRC Organization” and “IRSD/Info Collections” for the current *Federal Register* format.)

[7590-01-P]

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment request

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

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

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

Information pertaining to the requirement to be submitted:

### Exhibit 10 (continued)

1. The title of the information collection: 10 CFR Part 60 - Disposal of High-Level Radioactive Wastes in Geologic Repositories.
2. Current OMB approval number: 3150-0127.
3. How often the collection is required: One time.
4. Who is required or asked to report: States or Indian Tribes, or their representatives, requesting consultation with the NRC staff regarding review of a potential high-level waste repository site, or wishing to participate in a license review for a potential repository.
5. The number of annual respondents: 2
6. The number of hours needed annually to complete the requirement or request: 244 hours (An average of 122 hours per respondent for a consultation request, license review participation proposal, and statement of representative authority plus .2 hours for recordkeeping).
7. Abstract: 10 CFR Part 60 requires States and Indian Tribes to submit certain information to the NRC if they request consultation with the NRC

## Exhibit 10 (continued)

staff concerning review of a potential repository site or wish to participate in a license review for a potential repository.

Representatives of States or Indian Tribes must submit a statement of their authority to act in such representative capacity. The information submitted by the States and Indian Tribes is used by the Director of the Office of Nuclear Material Safety and Safeguards as a basis for decisions about the commitment of NRC staff resources to the consultation and participation efforts.

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

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

### Exhibit 10 (continued)

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

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC World Wide Web site: (<http://www.nrc.gov/public-involve/doc-comment/omb/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Exhibit 10 (continued)

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by telephone at 301-415-7233, or by Internet electronic mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV).

Dated at Rockville, Maryland, this 15th day of April 2004.

For the Nuclear Regulatory Commission.

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Brenda Jo. Shelton, NRC Clearance Officer  
 Office of Information Services

DOCUMENT NAME: C:\FRN1PT60  
 ACCESSION NUMBER: ML00304911

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	Originator		Office Mgmt.		Resp. IMC		OGC*		OIS
NAME							TRothschild		BShelton
DATE									

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\*OGC concurrence required only for controversial information collections.

## Exhibit 11

# OMB Instructions for the Supporting Statement for Paperwork Reduction Act Submissions

## Supporting Statement for Paperwork Act Submission

### General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When item 17 of the OMB Form 83-I is checked "Yes," Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

### Specific Instructions

#### A. Justification

1. Explain the circumstances that make the collection of the information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.
2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.
3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.
4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for the purposes described in item 2 above.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.
6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.
7. Explain any special circumstances that would cause an information collection to be conducted in a manner:
  - requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
  - requiring respondents to submit more than an original and two copies of any document;
  - requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
  - in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
  - requiring the use of a statistical data classification that has not been reviewed and approved by OMB; that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
  - requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.
8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice

and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. The circumstances should be explained.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that commonly considered private. This justification should include why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable.

## Exhibit 11 (continued)

- If the hour burden on respondents is expected to vary widely because of differences in activity, size or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
  - Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.
13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).
- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparation for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
  - If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60 day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, 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. Provide estimates of annualized costs to the Federal Government. Also, provide a description of the methods used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from items 12, 13, and 14 in a single table.
15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.
16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including the beginning and ending dates of the collection of information, completion of report publication dates, and other actions.
17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.
18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.
- B. Collections of Information Employing Statistical Methods**
- The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When item 17 on the Form OMB 83-I is checked, "Yes," the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:
1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection methods to be used. Data on the number of entities (e.g., establishments, State and local government units, households or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.
  2. Describe the procedures for the collection of information including:
    - \*statistical methodology for stratification and sample selection,
    - \*Estimation procedure,
    - \*Degree of accuracy needed for the purpose described in the justification,
    - \*Unusual problems requiring specialized sampling procedures, and
    - \*Any use of periodic (less frequent than annual) data collection cycles to reduce burden.
  3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.
  4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved separately or in combination with the main collection of information.
  5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.



## Exhibit 12

### Milestone Schedule for OMB Clearance Renewals and New Collections Not Contained in Rulemakings

Weeks Prior to Expiration	OMB Clearance Package (OCP) Schedule and Requirements
36 weeks (Renewals)	RFPSB will notify respective Information Management Coordinators (IMCs) via NRC Form 406.
28 weeks	<p>The IMC will provide RFPSB a draft supporting statement sufficiently complete to support the burden estimate contained in the draft <i>Federal Register</i> notice (FRN), and the FRN soliciting public comments on the agency's intent to submit an information collection to OMB (for renewals, within <b>eight weeks</b> after receiving the NRC Form 406). The Paperwork Reduction Act of 1995 imposes a requirement to notice in the <i>Federal Register</i> for a 60-day comment period all proposed extensions and new collections except those contained in proposed or final rules and emergency collections.</p> <p>Within two weeks of receipt, RFPSB will work with the IMC to resolve any significant problems with the draft supporting statement.</p>
25 weeks	<p>The IMC shall complete the following steps for submitting the completed draft OCP to RFPSB:</p> <ul style="list-style-type: none"> <li>• Enter the FRN and supporting statement into ADAMS with separate accession numbers</li> <li>• Provide to RFPSB               <ul style="list-style-type: none"> <li>- a hard copy of the supporting statement and draft FRN</li> <li>- an e-mail containing the ADAMS accession numbers and the FRN and supporting statement as two attachments</li> <li>- a computer diskette containing the FRN without the concurrence block</li> </ul> </li> </ul>
23 weeks	<p>After the NRC Clearance Officer signs the draft FRN, RFPSB will enter the signature date into ADAMS and modify the diskette, send the diskette and a hard copy of the FRN to ADM for publication in the <i>Federal Register</i> for a 60-day comment period and will transmit advance copies of the FRN and draft supporting statement to the Public Document Room (PDR) to be made available to the public, and will complete ADAMS processing. RFPSB will combine the FRN and supporting statements as one document and send the e-mail file to WEBWORKS to be placed on the NRC World Wide Web site, where it will be available electronically to the public for 60 days.</p>
13 weeks	<p>Upon receipt, RFPSB will send any comments received in response to the draft FRN to the IMC's manager, with copies to the IMC, and the PDR. The IMC shall forward a copy to the responsible staff and retain a copy for review against the final clearance submittal.</p> <p>During the comment period, RFPSB will work with the IMC to finalize the supporting statement to the extent possible, including addressing any comments received.</p>

## Exhibit 12 (continued)

<b>Weeks Prior to Expiration</b>	<b>OMB Clearance Package (OCP) Schedule and Requirements</b>
11 weeks	The responsible program office staff will summarize any comments received in the supporting statement under "Consultations Outside the NRC" by stating the comments that were received and NRC's disposition of them. Also, include in this section the date and page number of the FRN that solicited the comments. The IMC should review the staff's response to ensure that all comments are adequately addressed.
10 weeks	The IMC will enter the final FRN and supporting statement into ADAMS, send a hard copy of the final supporting statement, the final FRN (notifying the public that the OCP has been sent to OMB), a diskette and e-mail to RFPSB, as specified for the initial submittal, within <u>three weeks</u> after the end of the comment period.
9 weeks	When the final FRN has been signed, RFPSB will send the clearance package to OMB, the FRN and the diskette to ADM for publication in the <i>Federal Register</i> for a 30-day comment period, and e-mail the clearance package to WEBWORKS to be placed on the NRC World Wide Web site, where it will be available electronically to the public for 30 days. OMB has an additional 30 days after the comment period to make its decision on the information collection.

## Exhibit 13

### Sample *Federal Register* Notice of Submission for OMB Review With Instructions (All Collections Other Than Rulemakings -- Final *Federal Register* Notice)

(*Federal Register* notices are subject to change. Therefore, staff should access the internal NRC Web page and select “Services” and “Information Collections” or “OIS” under “NRC Organization” and “IRSD/Info Collections” for the current FRN format or check with RFPSB staff.)

[7590-01-P]

#### U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

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

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, an information collection unless it displays a currently valid OMB control number.

### Exhibit 13 (continued)

1. Type of submission: Extension  
  
(Indicate "Extension" if there are no changes in the manner in which NRC is conducting this collection; "Revision" if there is any change in burden attributable to programmatic changes or public comment; and "New" if this is the initial clearance for a new form, survey, questionnaire, etc.)
  
2. The title of the information collection: 10 CFR Part 60 - Disposal of High-Level Radioactive Wastes in Geologic Repositories
  
3. The form number if applicable: Not applicable
  
4. How often the collection is required: On occasion.
  
5. Who will be required or asked to report: States or Indian Tribes, or their representatives, requesting consultation with the NRC staff regarding review of a potential high-level waste repository site, or wishing to participate in a license review for a potential repository.
  
6. An estimate of the number of responses: 8

### Exhibit 13 (continued)

7. The estimated number of annual respondents: 2
  
8. An estimate of the total number of hours needed annually to complete the requirement or request: 244 hours (an average of 122 hours per respondent for a consultation request, license review participation proposal, and statement of representative authority plus .2 hours for recordkeeping).
  
9. An indication of whether Section 3507(d) of Pub. L. 104-13 applies: Not applicable.
  
10. Abstract: 10 CFR Part 60 requires States and Indian Tribes to submit certain information to the NRC if they request consultation with the NRC staff concerning review of a potential repository site or wish to participate in a license review for a potential repository. Representatives of States or Indian Tribes must submit a statement of their authority to act in such representative capacity. The information submitted by the States and Indian Tribes is used by the Director of the Office of Nuclear Material Safety and Safeguards as a basis for decisions about the commitment of NRC staff resources to the consultation and participation efforts.

### Exhibit 13 (continued)

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC World Wide Web site (<http://www.nrc.gov/public-involve/doc-comment/omb/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by (insert date 30 days after publication in the *Federal Register*). Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Desk Officer's name  
Office of Information and Regulatory Affairs (3150-0127)  
NEOB-10202  
Office of Management and Budget  
Washington, DC 20503

### Exhibit 13 (continued)

Comments can also be submitted by telephone at 202-395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 14th day of April 2004.

For the Nuclear Regulatory Commission.

---

Brenda Jo. Shelton, NRC Clearance Officer  
Office of Information Services

DOCUMENT NAME: C:\FRN2PT60.wpd

ACCESSION NUMBER: ML00455689

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E"  
= Copy with attachment/enclosure "N" = No copy

OFFICE	Originator	Office Mgmt.	Resp. IMC	OGC*	OIS
NAME				TRothschild	BShelton
DATE					

OFFICIAL RECORD COPY

\*OGC concurrence required only for controversial information collections.

## Exhibit 14

### NRC Form 620, "Program Official Certification for Proposed Collection of Information"

<b>NRC FORM 620</b> <small>(12-2005)</small>	<b>U.S. NUCLEAR REGULATORY COMMISSION</b>		
<b>PROGRAM OFFICIAL CERTIFICATION FOR                  PROPOSED COLLECTION OF INFORMATION</b>			
TITLE OF COLLECTION			
<b>I certify that the proposed collection of information --</b> (Program Official should answer the following questions and certify responses by signing below.)			
	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1. Reduces to the extent practicable the burden, including with respect to small entities, using techniques such as; (1) establishing differing timetables or reporting requirements to account for available resources, (2) clarifying, consolidating, or simplifying reporting requirements, and (3) exempting entities from all or part of the information collection requirement.	<input type="checkbox"/>	<input type="checkbox"/>	
2. Is written using plain, coherent, and unambiguous terminology and is understandable to respondents.	<input type="checkbox"/>	<input type="checkbox"/>	
3. Will be implemented in ways consistent and compatible, to the maximum extent practicable, with respondents' existing reporting and recordkeeping practices.	<input type="checkbox"/>	<input type="checkbox"/>	
4. Has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information, including processing the information in a manner to enhance, where appropriate, the information's utility to agencies and the public.	<input type="checkbox"/>	<input type="checkbox"/>	
5. Uses effective, efficient, and appropriate statistical survey methodology.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. To the maximum extent practicable, uses information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public.	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is necessary for NRC to properly perform its functions, and that the information has practical utility.	<input type="checkbox"/>	<input type="checkbox"/>	
8. Is not unnecessarily duplicative of information otherwise reasonably accessible to the agency.	<input type="checkbox"/>	<input type="checkbox"/>	
9. Indicates for each recordkeeping requirement the record retention.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Informs potential respondents why the information is being collected; its necessity to the agency's performance; provides an estimate of and request for comment on the burden; indicates whether responses are mandatory, voluntary, or required to obtain a benefit (citing authority); confidentiality (citing authority); and the fact that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.	<input type="checkbox"/>	<input type="checkbox"/>	
Program Office Official _____			Date _____
	(Signature)		
	_____		
	(Type or print name)		

NRC FORM 620 (12-2005)

PRINTED ON RECYCLED PAPER



Exhibit 15

NRC Form 670, "Information Required for Making an Insignificant Burden Determination To Support a Decision That OMB Clearance Is Not Required" (Sample)

U.S. NUCLEAR REGULATORY COMMISSION													
<b>INFORMATION REQUIRED FOR MAKING AN INSIGNIFICANT BURDEN DETERMINATION TO SUPPORT A DECISION THAT OMB CLEARANCE IS NOT REQUIRED</b>													
NRC FORM 670 (3-2003)													
TITLE OF COLLECTION: Attach document containing proposed information collection(s): 10 CFR 50.55a, "Incorporation by Reference of ASME BPV Code Cases," Proposed Rule													
DESCRIPTION OF COLLECTION													
For rulemakings, provide, for each section that adds, deletes, or modifies information collections, all information requested in the table below. For all other collections, provide a general description of the information collection or a description of all modification(s) to the existing collection, and include all information specified in the table.													
Section Number (Rules Only)	Number of Respondents		Number of Responses per Respondent		Total Number of Responses		Burden Hours per Response		Revised Total Burden Hours		Total Burden Hours Change (+ or -)	Description of Change	
	Current	Revised	Current	Revised	Current	Revised	Current	Revised	Current	Revised			
50.55a	88	88	1	1	88	0	1.6	0	141	0	-141	An estimated 88 licensees will be relieved of providing a relief request for one Code case which will reduce their information collection burden by 1.6 hours each.	
50.55a	103	103	30	30	3090	3090	--*	-1.667	--*	-515	-515	The use of Code Case N-508, which allows maintenance personnel to perform pressure relief testing instead of VT-2 qualified personnel, will reduce the information collection burden by 10 minutes per component for 30 components for each respondent.	
50.55a	26	26	1	1	26	26	0	4	0	104	104	For Code Case N-600, 26 respondents will realize a four-hour burden increase to do supporting analyses, and 77 licensees will realize a two-hour decrease in burden, by using the 26 respondents supporting analyses. This results in a total burden decrease of 50 hours for this Code case.	
	77	77	1	1	77	77	2	0	154	0	-154		
										Total:	-706	*There is current burden for Code Case N-508. However, only the burden differential is tracked for 50.55a, not the specific burden for each Code or Code Case.	

Exhibit 15 (continued)

<p>NRC FORM 670 (3-2003)</p>	<p>U.S. NUCLEAR REGULATORY COMMISSION</p> <p><b>INFORMATION REQUIRED FOR MAKING AN INSIGNIFICANT BURDEN DETERMINATION          TO SUPPORT A DECISION THAT OMB CLEARANCE IS NOT REQUIRED</b></p> <p>(Continued)</p>
<p><b>NEED FOR USE OF COLLECTION:</b></p> <p>The NRC permits licensees to use Code cases as alternatives to ASME requirements by incorporating them by reference. Many ASME requirements require recordkeeping and reporting (e.g., procedures, personnel qualifications, maintenance procedures, and inspection methods). Many Code cases reduce or simplify existing ASME requirements and therefore may reduce certain information collections. The Code cases in this rulemaking reduce the number of relief requests licensees will file, simplify the qualification requirements for inspection personnel, and allow licensees, in some cases, to reduce the number of requalifications that need to be performed, thus reducing slightly the recordkeeping and reporting requirements.</p>	
<p><b>PUBLIC COMMENT:</b></p> <p>Has NRC had any consultation with the public, industry groups, or other agencies, etc., regarding this proposed collection?          If yes, explain and indicate how any issues were addressed and resolved. <span style="float: right;"><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</span></p>	
<p>Does NRC expect to receive comments on this collection? If yes, explain. <span style="float: right;"><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</span></p>	
<p>Are the information collections considered controversial? If yes, explain. <span style="float: right;"><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</span></p>	
<p><b>EXPECTED IMPLEMENTATION DATE: 01 / 2005</b></p>	
<p>OCIO APPROVAL          Brenda Jo. Shelton          NRC Clearance Officer/OCIO</p>	<p>SIGNATURE</p> <p>DATE          03/ 22 /2004</p>

## Exhibit 16

### Guidance for Processing Generic Communications and Responding to Comments

The agency has two generic clearances for information collections contained in generic communications, that is, generic letters, bulletins, regulatory issue summaries, and other such generic communications. One of these is cleared as part of the 10 CFR Part 50 clearance renewal (OMB clearance 3150-0011). This clearance number should be used for all routine generic communications. The clearance estimates the burden for proposed generic communications to be issued over the next 3 years based on a combination of known generic communications to be issued and on past history. Although the generic clearance is prepared under the umbrella of the Part 50 clearance, all program offices may use the clearance for generic communications.

The agency has a separately cleared generic clearance (OMB clearance 3150-0012) for emergency reporting. This clearance should be used only where NRC can demonstrate that there are immediate potential health and safety consequences and where a response is required in less than 30 days.

Each generic communication should contain an appropriate Paperwork Reduction Act Statement (PRAS). If the generic communication does not contain information collections, use the following statement:

This Generic Letter (Bulletin, RIS, etc.) does not contain any information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

If the generic communication contains information collections, it must contain a PRAS that estimates the burden per respondent. If the requirement is a current regulatory requirement, for example, update (maintenance) of current procedures, the generic communication should reflect the OMB clearance number for the regulation that contains the requirement. However, if the generic communication contains requirements that are not contained in the regulations, for example, submittal of a schedule as to when required modifications will be completed, the generic clearance number should be used.

All draft generic communications should include OIS on concurrence. OIS will review generic communications in an expeditious manner and e-mail a concurrence or requested changes within 4 workdays of receipt unless the generic communication also contains voluminous guidance that must also be reviewed. If paper concurrence is required, the program office should so indicate.

## Exhibit 16 (continued)

Below is an example PRAS format for a generic communication that contains information collections. However, the preparer should use the current PRASs which may be accessed on NRC's internal Web site by selecting "Services" and "Information Collections" or by selecting "OIS" under "NRC Organization" and "IRSD/Info Collections."

### **PAPERWORK REDUCTION ACT STATEMENT**

This GL contains information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These information collections were approved by the Office of Management and Budget, approval number 3150-0011, which expires February 28, 2007.

The burden to the public for these (voluntary/mandatory) information collections is estimated to average 300 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. The U. S. Nuclear Regulatory Commission is seeking public comment on the potential impact of the information collections contained in the GL and on the following issues:

1. Is the proposed information collection necessary for the proper performance of the functions of the NRC, including whether the information will have practical utility?
2. Is the estimate of burden accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques?

Send comments regarding this burden estimate or any other aspect of these information collections, including suggestions for reducing the burden, to the Records and FOIA/Privacy Services Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV); and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0011), Office of Management and Budget, Washington, DC 20503.

## Exhibit 16 (continued)

### Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

If comments are received once the generic communication is issued, program offices should adhere to the following procedures in addressing the comments:

For proposed information collections (e.g., proposed generic communications):

- The program office shall prepare a draft response to the comments, either justifying or revising the information collection request/burden estimate.
- The program office shall forward its proposed response, along with the comment(s) (letter, e-mail, etc.) to the Records and FOIA/Privacy Services Branch (RFPSB), OIS, which will submit the comment(s) and proposed response to OMB.
- RFPSB/OIS will provide OMB's approval/requested changes to the program office.
- If OMB approves the response, the program office shall include the response to the comments in the final information collection request.
- If OMB requests changes, the program office shall modify the response or provide justification for not making the requested changes. RFPSB/OIS will obtain OMB's approval for any NRC revisions to OMB's requested changes or justification for not making OMB's requested changes. Once OMB approval is received, the program office shall include the comments and response in the final information collection request.
- When the generic clearance is renewed, the program office shall address the comments and their resolution under item 8 of the supporting statement, "Consultations Outside the NRC," and include copies of all comment letters received during the clearance period.

For final information collections (e.g., final generic communications):

- The process is the same except that the comments will not be addressed in the information collection request because it would have already been issued.

### Exhibit 16 (continued)

- If OMB requires a change in the information collection burden, the program office shall, within two weeks—
  - Prepare a *Federal Register* notice (FRN) to announce the burden revision.
  - Submit the FRN to RFPSB/OIS for review.
  - RFPSB shall review the proposed FRN within two days of receipt.
  - Upon RFPSB approval, the program office shall immediately publish the FRN.

## Exhibit 17

### Guidance for Processing Customer Satisfaction Surveys Under Generic Clearance and NRC Form 671, "Request for Review of a Customer Satisfaction Survey Under Generic Clearance"

NRC has obtained Office of Management and Budget (OMB) approval of a generic clearance for customer satisfaction surveys. Voluntary customer satisfaction surveys are used to assess agency services from the customer's perspective and to solicit responses that focus on customer perception, preferences, and related opinions about the agency's performance in the area of customer services. Customer satisfaction surveys must be designed to only ask questions concerning satisfaction with timeliness, courtesy, accuracy, and other factors associated with assessing customer satisfaction. These questions should be formatted in a manner that allows the respondent to quickly respond from an even distribution range of approximately five choices. An example of an acceptable question format is the following:

How useful did you find this information?

- Totally       Very       Somewhat       A little useful       Of no use

The generic clearance allows the issuance of customer satisfaction surveys without the need for full OMB review of each individual survey or the need to notice in the *Federal Register* for public comment. Instead, each individual survey will be transmitted to OMB with the NRC Form 671, "Request for Review of Customer Satisfaction Survey Under Generic Clearance" (available on the NRC online forms icon), for review and approval within one work week instead of the standard 5 months.

This clearance does not cover program evaluation surveys because they generally contain questions that are used to assess or measure the value, quality, importance, or condition of a program or activity.

When the clearance is renewed, OIS will examine the burden estimated for customer satisfaction survey clearance and use the data as a basis for estimating the burden for the next clearance renewal.

## Exhibit 17 (continued)

### PROCEDURES FOR USING SURVEY CLEARANCES

#### Program Offices' Responsibilities

- Submit the survey instrument and the completed NRC Form 671, "Request for Review of Customer Satisfaction Survey Under Generic Clearance," to the NRC Clearance Officer through the Information Management Coordinator (IMC) at least 4 work-weeks before the survey is to be conducted. Four weeks are required to ensure that all OIS and OMB-requested changes can be completed before initiating the survey.

#### NRC Clearance Officer's Responsibilities

- Approves surveys and submits to OMB for approval.
- Informs requester of OMB action taken on individual surveys.
- Reviews accumulative burden used for Customer Satisfaction Surveys and uses it as basis for burden estimate in extension clearance packages.

#### OMB Desk Officer's Responsibilities

- Reviews submittal package to ensure that survey falls within the scope of the generic clearance and approves or disapproves within one work week.



## Exhibit 18 ADAMS Processing

When the program office is ready to submit its concurred-in clearance package to OIS, the responsible program office individual, usually the IMC, should enter the package into ADAMS, using the appropriate template, OIS-004, OIS-046, or OIS-047. The accession numbers for the *Federal Register* notice (FRN), supporting statement, and ADAMS package should be labeled separately above the concurrence block on the FRN. Do not declare the documents or package as official records.

OIS will review the formal clearance package and, depending on the extent of any required changes, either coordinate with the program office and make editorial changes to the documents and enter the changes into ADAMS or request the program office to make the changes and update the ADAMS documents.

When the NRC Clearance Officer has signed the FRN, OIS will update the notice with the signature date. In addition to the FRN and the supporting statement, which the program office should have already included in ADAMS, the program office should include any background information to support its burden estimate so that it will be available to the next staff person who prepares the package. OIS will add to the package the following documents:

For draft clearance packages (new non-rule collections and clearance renewals):

- Summary of Information Collection Request
- NRC Form 408, "Assessment of Proposed Information Collection"
- NRC forms (for new forms and forms renewal packages)
- NRC Form 620, "Program Official Certification for Proposed Collection of Information"

OIS will declare all documents and the package as official records when it has entered all the above relevant documents.

For clearance renewals submitted to OMB and rule packages:

- Summary of Information Collection Request
- NRC Form 408, "Assessment of Proposed Information Collection"
- Form OMB 83-I, "Paperwork Reduction Act Submission"

### Exhibit 18 (continued)

- NRC forms (for new forms, forms renewal packages, and rule packages modifying the burden)
- For extension renewals, public comments received on draft clearance packages
- For rules only, the ADAMS accession number for the rule<sup>1</sup>

OIS will declare all documents entered into ADAMS as official agency records. However, the package will not be declared until OMB's decision is received. Upon receiving OMB's official action, OIS will add the following document(s) to the package and will declare the documents and the package as official agency records:

- OMB's "Notice(s) of Action," including any "Terms of Clearance"
- OMB's "Notice of Change," if changes are made to OMB's "Notice of Action"

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<sup>1</sup>When the program office submits the official OMB clearance package, it must include the accession number for the rule on the FRN above the concurrence block. Program offices should ensure that the ADAMS rule version is in .pdf format to ensure that no hidden text is viewable by the public.