

## Section 5

### FINAL SUPPORTING STATEMENT FOR PERIODIC RESEARCH AND DEVELOPMENT REPORTS

10 CFR 50.35(b)

#### DESCRIPTION OF THE INFORMATION COLLECTION

Section 50.35(b) specifies that "The Commission may, in its discretion, incorporate in any construction permit provisions requiring the applicant to furnish periodic reports of the progress and results of research and development programs designed to resolve safety questions."

#### A. JUSTIFICATION

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

The reports required under 10 CFR 50.35(b) would keep the staff apprised of the progress and findings of licensee research and development programs and increase the likelihood that any safety problems would be resolved in a timely manner.

##### 2. Agency Use of Information

The NRC staff will review information submitted in accordance with 10 CFR 50.35(b) to evaluate the results of research and development programs. This evaluation is to determine what, if any, corrective measures would be appropriate and to develop regulatory procedures, including revisions to existing review processes and possible facility modifications, if necessary. This procedure allows the NRC, by special reference in a facility construction permit, to request information concerning ongoing research and development activities that are in support of a construction permit.

This reporting requirement has not resulted in the submittal of any information from licensees during the past 3 years. However, NRC requests renewal of the clearance for this section in order to receive timely information from licensees on potential new technological developments for both power reactor and fuel reprocessing systems should they occur. Ongoing research and development programs throughout the industry create the possibility of safety-related issues arising at any time. The NRC staff must be able to obtain information from licensees concerning current research projects in order to make informed judgments about the effects of current research on future licensing actions.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology. Moreover, NRC encourages its use and has provided guidance to the nuclear industry on how to properly submit documents using the electronic information exchange process.

4. Effort to Identify Duplication and Use Similar Information

This provision is not required by other Federal regulations. Licensees for nuclear power plants are the only source for this information. The Information Requirements Control Automated System (IRCAS) was searched for agency duplication, and none was found.

5. Effort to Reduce Small Business Burden

This provision only affects licensees for nuclear power plants and, therefore, does not affect small business.

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

Less frequent collection or not collecting the information at all could mean that research information that could impact future licensing actions might not be available on a timely basis.

7. Circumstances which Justify Variation from OMB Guidelines

This information collection does not vary from OMB guidelines. It is highly unlikely that the periodic reports provided for in 10 CFR 50.35(b) would be required more often than quarterly or required sooner than 30 days after issuance of a construction permit.

8. Consultations Outside the NRC

The opportunity for public comment was published in the Federal Register on August 29, 2003 (68 FR 52063). No comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential or proprietary information is protected in accordance with 10 CFR 2.790 of the NRC regulations.

11. Justification for Sensitive Questions

This provision does not request sensitive information.

12. Estimated Industry Burden and Burden Hour Cost

There is no anticipated response from industry during the next 3 years.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

NRC does not anticipate any responses from industry based on this regulation. Therefore, there is no anticipated cost to the government during the next 3 years.

15. Reasons for Changes in Burden or Cost

There is no change in the burden since the last OMB review.

16. Publication for Statistical Use

The collected information is not used for statistical purposes.

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

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.