

DRAFT OMB SUPPORTING STATEMENT FOR
NRC FORMS 542 AND 542A
UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST
INDEX AND REGIONAL COMPACT TABULATION AND CONTINUATION PAGE

(3150-0165)

EXTENSION

Description of the Information Collection

U.S. Nuclear Regulatory Commission (NRC) Form 542 and continuation Form 542A were developed by NRC in collaboration with the Department of Transportation (DOT). NUREG/BR-0204, Rev. 2, contains instructions for completing NRC Forms 540, 540A, 541, 541A, 542, and 542A. NRC has authorized use of electronic facsimiles of the forms generated by commercially available computer software.

NRC Forms 542 and Form 542A are completed by waste collectors or processors of low-level radioactive waste. Each container of waste shipped from a waste processor may contain waste from several different generators. Tracking the identity of the original waste generator becomes more complicated when the waste forms, dimensions, or packaging are changed by the waste processor. These forms are used to attribute the waste to the original generator for regional waste compact tabulation. The NRC does not collect or retain data on the forms and the forms are not sent to or received by the NRC.

A. JUSTIFICATION

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

To meet existing regulations, each shipment of Low Level Waste (LLW), either directly or indirectly, to a licensed disposal facility is currently accompanied by a manifest that describes the shipment contents as required in 10 CFR Part 20 and the DOT regulations in 49 CFR Part 172. Presently, there are four LLW disposal facilities in operation. The detailed information requested on NRC Form 542 will enhance the ability of NRC and State regulatory agencies to control and safely regulate disposal of LLW. Licensees must use specified NRC forms, including NRC Form 542, pursuant to Appendix G to 10 CFR Part 20.

2. Agency Use of Information

The agency requires the information on NRC Forms 542 and 542A to ensure that States and Compacts know the original generators of LLW, as authorized by the Low-Level Radioactive Waste Policy Amendments Act of 1985, so that the waste is disposed of in the appropriate Compact.

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. The NRC issued a regulation on October 10, 2003 (68 FR 58791), 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, or other means. It is estimated that approximately 90 percent of the potential responses are filed electronically.

The NRC has structured the forms so that LLW generators may transmit the information electronically to either waste brokers or the LLW disposal site facility on a voluntary basis for their convenience. Several software packages (e.g. RADMAN and LowTrack) are available that can generate NRC Form 542 electronically. The information is not transmitted to NRC.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements. The NRC has in place an on-going 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

The required information is necessary from all shippers of LLW. To the extent that small entities may make fewer waste shipments than larger entities, fewer manifests would be required of small entities and their burden would be proportionately less.

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 at all or is conducted less frequently, NRC and State regulatory agencies will not be able to obtain information needed to control and safely regulate disposal of LLW.

7. Circumstances Which Justify Variation from OMB Guidelines

There are no variations from OMB guidelines.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on June 22, 2016 (81 FRN 40725). As part of the public consultation process, the NRC emailed

four potential respondents from the LLW distribution list in order to request feedback on the four questions for which comments were specifically requested. These individuals were: Mike Elsen (State of Washington), Susan Jenkins (State of South Carolina), Rusty Lundberg (State of Utah), and Jennifer Opila (Colorado Department of Public Health and Environment and current Chair of the Conference of Radiation Control Program Directors, Inc.'s E-5 committee on waste management). No comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

This information collection does not involve sensitive questions.

12. Estimated Burden and Burden Hour Cost

It is estimated that 756 NRC Forms 542 will be processed annually by 22 NRC and Agreement States licensees. Only collectors/processors complete this form and it is assumed the form is prepared electronically. The average burden to complete the form is estimated to be 0.75 hours. The total industry burden for completion of the form is estimated at 567 hours annually (756 forms x 0.75 hours). Professional personnel will complete this information. Therefore, total cost is estimated to be \$151,956 (567 hours x \$268/hour).

13. Estimated of Other Additional Cost

There are no other additional costs.

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government will be approximately \$1,100 for manifest printing and distribution. This cost will be fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171. The forms are not submitted to the NRC.

15. Reasons for Changes in Burden or Cost

There is no change in burden, but the hourly cost for professional staff has decreased from \$274/hour to \$268/hour resulting in a reduction in total cost of \$3,402.

16. Publication for Statistical Use

None.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed on the hardcopy form. However, the electronic version of NRC Form 542, provided in software to allow licensees to transmit NRC Form 542 electronically, will not display an expiration date because it would not be possible for the NRC to revise the expiration of software produced by commercial companies.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of information does not employ statistical methods.