

U.S. NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements: Notice of Pending Submittal to the Office of Management and Budget (OMB) for Review

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 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:

1. The title of the information collection: Application for License to Export Nuclear Material and Equipment, NRC Form 7
2. Current OMB approval number: 3150-0027
3. How often the collection is required: On occasion; for each separate request for a specific export license and for exports of incidental radioactive material using existing general licenses.

4. Who is required or asked to report: Any person in the U.S. who wishes to export: (a) nuclear material and equipment subject to the requirements of a specific license; (b) radioactive waste subject to the requirements of a specific license; and (c) incidental radioactive material that is a contaminant of shipments of more than 100 kilograms of non-waste material using existing NRC general licenses.

5. The number of annual respondents: 153

6. The number of hours needed annually to complete the requirement or request: 330 hours (2.2 hours per response)

7. Abstract:

Any person in the U.S. wishing to export nuclear material and equipment requiring a specific authorization or radioactive waste requiring a specific authorization must file an application for a license on NRC Form 7. The application will be reviewed by the NRC and by the Executive Branch, and if applicable statutory, regulatory, and policy considerations are satisfied, the NRC will issue a license authorizing the export.

A completed NRC Form 7 must also be filed by any person in the U.S. wishing to use existing NRC general licenses for the export of incidental radioactive material before the export takes place (if the total amount of the shipment

containing the incidental radioactive material exceeds 100 kilograms). The form is reviewed by the NRC to ensure that the NRC is informed before the fact of these kinds of shipments and to allow NRC to inform other interested parties, as appropriate, including import control authorities in interested foreign countries.

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

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

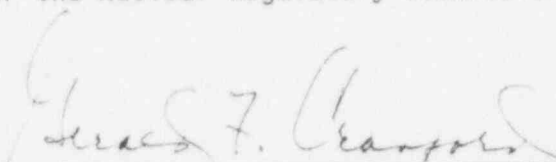
A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street NW, (lower level), Washington, DC. Members of the public who are in the Washington, DC area can access this document via modem on the Public Document Room Bulletin Board (NRC's Advanced

Copy Document Library), NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC area can dial FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608.

Comments and questions may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC 20555-0001, or by telephone at 301-415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 29th day of October, 1996.

For the Nuclear Regulatory Commission.

  
Gerald F. Cranford, Designated Senior Official  
for Information Resources Management

OMB SUPPORTING STATEMENT FOR  
NRC FORM 7, APPLICATION FOR LICENSE TO  
EXPORT NUCLEAR MATERIAL AND EQUIPMENT  
(3150-0027)  
REVISION TO EXTENSION REQUEST

DESCRIPTION OF THE INFORMATION COLLECTION

Section 110.20 requires all persons using an NRC general license as authority to export incidental radioactive material that is contained in or a contaminant of a shipment that exceeds 100 kilograms in total weight to file an NRC Form 7 before the export takes place.

Section 110.31 requires all persons in the U.S. who wish to export nuclear material, nuclear equipment, or radioactive waste requiring specific authorization to file an application on NRC Form 7, providing the information required by section 110.32.

A. JUSTIFICATION

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

The Nuclear Regulatory Commission (NRC), under the Atomic Energy Act of 1954, as amended, and Title II of the Energy Reorganization Act of 1974, as amended, has authority for exercising export controls over nuclear equipment and material as listed in 10 CFR Part 110 Sections 110.8 and 110.9.

The NRC Form 7 is a multipurpose export license application designed to allow persons to provide the minimum amount of information necessary for NRC to fulfill the statutory and regulatory requirements governing exports of nuclear material and nuclear equipment under the NRC's authority. The form is clear, concise, easy to understand, and simple to prepare. (The burden for the application information required in section 110.32 for importing nuclear material or equipment is filed by letter and is covered in a separate OMB clearance, 3150-0036.)

2. Agency Use of Information

The Commission and the Executive Branch review the license applications submitted on NRC Form 7 to make required export licensing determinations to ensure compliance with regulations. If applicable statutory, regulatory, and policy considerations are satisfied, the NRC will issue a license authorizing the export.

The Commission reviews proposed exports of incidental radioactive material filed on NRC Form 7 before the export takes place to help assure that the NRC is informed before the fact of these kinds of shipments and allows us to inform other interested parties, as appropriate, including import control authorities in interested foreign countries.

3. Reduction of Burden through Information Technology  
There are no legal obstacles to reducing the burden associated with this information collection. Licensees and applicants may utilize information technology if they so desire; however, no responses have been submitted electronically.
4. Effort to Identify Duplication and Use Similar Information  
The Information Requirements Control Automated System (IRCAS) was searched to determine agency duplication. None was found.
5. Effort to Reduce Small Business Burden  
The requirements specified in Section 110.20 and Sections 110.31-32 are the same for large and small businesses, because the proliferation and policy concerns are the same; therefore, all businesses must provide the same data. To reduce small business burden, the NRC has established new general licenses which exempt from new controls many of the shipments that were of particular concern to small businesses. Further, the NRC allows small businesses to apply for broad, long-term licenses to export materials to reduce burdens associated with paperwork expenses, license application fees, and uncertainties in delivery.
6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or is Conducted Less Frequently  
The information requested in Sections 110.20 and 110.31-32 with respect to exports is submitted only when deemed necessary by exporters and is keyed to the decision criteria that guides the NRC in approving or denying applications. It specifically incorporates the requirements of the Atomic Energy Act of 1954, as amended, for export. Therefore, if the collection is not conducted or is conducted less frequently, a person who wishes to export under NRC's export authority would be unable to do so because the NRC would not be able to make the necessary determination on whether an export license should be issued.
7. Circumstances Which Justify Variation From OMB Guidelines None.
8. Consultations Outside the NRC Opportunity to comment on the collection has been published in the Federal Register.
9. Payment or Gift to Respondents Not applicable.
10. Confidentiality of the Information  
Normally none of the information referred to in Sections 110.31-32 is considered confidential or proprietary. However, when the exporter specifically requests the NRC to keep the information confidential, the NRC will treat the information as "Company Proprietary."
11. Justification for Sensitive Questions  
There are no sensitive questions.

12. Estimated Burden and Burden Hour Cost

All licensees comply equally with the export requirements of Section 110.20 and Sections 110.31 and 110.32. Based upon our experience, which has shown that an estimated 153 applications will be filed on NRC Form 7 annually and using a cost of \$120 per hour, the annual cost required to prepare the NRC Form 7 is estimated as follows:

Annual Reporting or Disclosure Burden for NRC Form 7:

<u>Annual Number of Respondents</u>	<u>Annual Number of Responses per Respondent</u>	<u>Hours per Response</u>	<u>Total Hours</u>	<u>Cost</u>
150	1	2	300	\$36,000
(includes all filings for the export of incidental radioactive material under Section 110.20; and all submissions for the export of nuclear material and equipment under Section 110.31, except radioactive waste.)				
3	1	10	30	3,600
(all applications for export of radioactive waste)				
153			330	39,600

Total annual burden is estimated at 330 hours at a cost of \$39,600 (330 x \$120).

13. Estimate of Other Additional Costs None.

14. Estimated Annualized Cost to the Federal Government

The collection and processing of information on NRC Form 7 under 10 CFR Part 110 Sections 110.20 and 110.31-32 is estimated to be the same as that currently approved by OMB. It will require approximately 1,630 NRC professional staff hours per year related to data entry, data base management, and subsequent reporting and recordkeeping. Annual labor cost to the Federal Government at \$120 per staff hour is \$195,600 (1,630 hours x \$120). This estimate covers only the information collection and handling costs associated with the NRC Form 7 and it is the most significant cost to the Federal Government under 10 CFR Part 110. Additional costs for information storage, coding, tabulating, and responding to public inquiries are approximately \$60,000 per year (500 hours x \$120). The total annual cost to the Federal Government is approximately \$255,600. This cost is fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Part 170. (See OMB approval number 3150-0036 for costs associated with other requirements under 10 CFR Part 110.)

15. Reasons for Changes in Burden or Cost

The revised burden is based on our experience with processing NRC Form 7 submissions over the past year and also includes the impact of the three final rules to 10 CFR 110, "Import and Export of Radioactive Waste;" "Specific Licensing of Certain Alpha-Emitting Radionuclides and Byproduct Material;" and the rule relating to Uranium Conversion Facility, Restricted and Embargoed Destinations, that were codified after our 1994



submission for clearance. OMB Information Change Worksheets were submitted and approved for these three rules.

Previously, the table showed three categories of respondents. However, one category is eliminated by combining categories "standard applications" and "alpha-emitting radionuclides." This category also includes "incidental radioactive material" filings and, although there has been no impact yet, the burden associated with the final rule that transferred licensing authority for uranium conversion facilities from the Department of Commerce to the NRC and removed countries from the embargoed and restricted destinations lists.

The burden hours associated with all submittals in the above category is now estimated to be 2 hours per response. For "standard applications," the burden has increased from 1.5 hours to 2 hours, which is a more accurate reflection of the burden. For the final rule requiring specific licensing for the export of certain alpha-emitting radionuclides, the burden has decreased from 3 to 2 hours to reflect a lesser burden than previously estimated. The burden hours for all other submissions in this category is estimated to be 2 hours per response. In the second category, the burden hours associated with the final rule requiring a specific NRC license for the export of radioactive waste has decreased from 20 to 10 hours per response because the impact of the final rule has been less than expected. Overall, the total annual burden has decreased from 335 hours to 330 hours.

The number of NRC 7 forms submitted per year in the first category has decreased slightly from 156 to 150 due to less than anticipated responses from the final rules. In the second category, we still estimate 3 submittals per year as a result of the final rule requiring a specific NRC license for the export of radioactive waste. Overall, the total number of NRC 7 submittals per year has decreased from 159 to 153 (150 first category + 3 second category).

For clarification, the phrase "standard applications" is changed to read "includes all filings for the export of incidental radioactive material under Section 110.20; and all submissions for the export of nuclear material and equipment under Section 110.31, except radioactive waste."

16. Publication for Statistical Use Not applicable.
17. Reason for Not Displaying the Expiration Date The expiration date is displayed.
18. Exceptions to the Certification Statement There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS  
Not applicable.



**APPLICATION FOR LICENSE TO EXPORT  
NUCLEAR MATERIAL AND EQUIPMENT**

(See Instructions on Reverse)

Estimated burden per response to comply with this information collection request: 1.7 hours. This mandatory submittal is reviewed to ensure that the applicable statutory, regulatory, and policy considerations are satisfied. Forward comments regarding burden estimate to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0027), Office of Management and Budget, Washington, DC 20503. NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. APPLICANT'S USE ----->		a. DATE OF APPLICATION		b. APPLICANT'S REFERENCE		2. NRC USE ----->		a. DOCKET NUMBER		b. LICENSE NUMBER					
3. APPLICANT'S NAME AND ADDRESS						RIS									
a. NAME						4. SUPPLIER'S NAME AND ADDRESS (Complete if applicant is not supplier of material)									
b. STREET ADDRESS (Facility Site)						a. NAME									
c. CITY				d. STATE		e. ZIP CODE		b. STREET ADDRESS							
f. TELEPHONE NUMBER (Area Code - Number - Extension)						c. CITY				d. STATE		e. ZIP CODE			
5. FIRST SHIPMENT SCHEDULED		6. FINAL SHIPMENT SCHEDULED		7. APPLICANT'S CONTRACTUAL DELIVERY DATE				8. PROPOSED LICENSE EXPIRATION DATE		9. U.S. DEPARTMENT OF ENERGY CONTRACT NO. (If known)					
10. ULTIMATE FOREIGN CONSIGNEE						RIS						11. ULTIMATE END USE (Include plant or facility name)		USE CODE	
a. NAME												11a. DATE REQUIRED			
b. STREET ADDRESS (Facility Site)															
c. CITY															
12. INTERMEDIATE FOREIGN CONSIGNEE						RIS						13. INTERMEDIATE END USE		USE CODE	
a. NAME												13a. DATE REQUIRED			
b. STREET ADDRESS															
c. CITY															
14. INTERMEDIATE FOREIGN CONSIGNEE						RIS						15. INTERMEDIATE END USE		USE CODE	
a. NAME												15a. DATE REQUIRED			
b. STREET ADDRESS (Facility Site)															
c. CITY															
16. COM CODE		17. DESCRIPTION (Include chemical and physical form of nuclear material; give dollar value of nuclear equipment and components)						18. MAX. ELEMENT WEIGHT		19. MAX. WT. %		20. MAX. ISOTOPE WEIGHT		21. UNIT	
22. COUNTRY OF ORIGIN -- SOURCE MATERIAL				23. COUNTRY OF ORIGIN -- SNM WHERE ENRICHED OR PRODUCED				24. COUNTRIES WHICH ATTACH SAFEGUARDS (If known)							
25. ADDITIONAL INFORMATION ON CONSIGNEES, END USES, AND PRODUCT DESCRIPTION (Use separate sheet if necessary)															
26. The applicant certifies that this application is prepared in conformity with Title 10, Code of Federal Regulations, and that all information in this application is correct to the best of his/her knowledge.															
27. AUTHORIZED OFFICIAL				a. SIGNATURE						b. TITLE					

INSTRUCTIONS FOR PREPARATION OF APPLICATION FOR LICENSE TO EXPORT NUCLEAR  
MATERIAL AND EQUIPMENT, NRC FORM 7

One signed, original of NRC Form 7 must be submitted by the applicant to the Assistant Director for International Security, Exports and Material Safety, Office of Governmental and Public Affairs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or delivered in person to the Commission's Offices at 11555 Rockville Pike, Rockville, Maryland. Except for the shaded areas, all applicable items on this form should be completed, to the extent the information is available at the time the application is submitted.

An applicant for an export license must make full disclosure of all recipients of the proposed export so that a decision on the application may be made with full knowledge of all relevant facts. The name(s) and address(es) of the plant, facility, firm, or location where the material may be handled, stored, converted, or fabricated and where the material ultimately will be used, together with precise facts concerning the use that will be made of the items to be exported by each intermediate and ultimate consignee must be stated. The materials or equipment to be exported must be fully and accurately described in detail. If more space is needed, attach an additional sheet of paper.

The following is excerpted from the Nuclear Regulatory Commission regulations prescribing procedures and standards for the export and import of nuclear equipment and nuclear material. For the complete codification of NRC's export and import regulations, applicants for licenses should refer to Part 110 of Title 10, Chapter 1, Code of Federal Regulations.

**Subpart D -- Applications for Specific Licenses**

**§110.30 Filing license applications.**

(a) A person shall file a license application with the Assistant Director for International Security, Office of Governmental and Public Affairs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or deliver the application in person to the Commission's Offices at 11555 Rockville Pike, Rockville, Maryland.

(b) An export license application should be filed on Form NRC 7 unless it is for a license to export a production or utilization facility. An export license application and a production or utilization facility export license application should be filed by letter. Upon request, applications may be filed by telegram.

(c) Each person shall provide in the license application, as appropriate, the information specified in §110.31. The Commission may also require the submission of additional information if necessary to complete its review.

(d) A consolidated license application may be filed covering multiple shipments.

(e) Information in a previous license application may be incorporated by reference.

(f) An applicant shall withdraw an application whenever it is no longer needed. The Commission's official files retain all documents related to a withdrawn application.

**§110.31 Information required in license applications.**

(a) Name and address of applicant.

(b) Name and address of supplier of equipment or material.

(c) Country of origin of equipment or material, if known.

(d) Names and addresses of all intermediate and ultimate consignees, other than intermediate consignees performing shipping services only.

(e) Dates of proposed first and last shipments.

(f) Description of the equipment or material including, as appropriate, the following:

(1) Maximum quantity of material in grams or kilograms (curies for byproduct material) and its chemical and physical form.

(2) For enriched uranium, the maximum weight percentage of enrichment and maximum weight of contained U-235.

(3) For nuclear equipment, total dollar value.

(4) For nuclear reactors, the name of the facility and its design power level.

(5) Description of end use by all consignees in sufficient detail to permit accurate evaluation of the justification for the proposed export or import, including the need for shipment by the dates specified.