

Request for OMB Review

Important

Read instructions before completing form. Do not use the same SF 83 to request both an Executive Order 12291 review and approval under the Paperwork Reduction Act.

Answer all questions in Part I. If this request is for review under E.O. 12291, complete Part II and sign the regulatory certification. If this request is for approval under the Paperwork Reduction Act and 5 CFR 1320, skip Part II, complete Part III and sign the paperwork certification.

Send three copies of this form, the material to be reviewed, and paperwork—three copies of the supporting statement, to:

Office of Information and Regulatory Affairs
Office of Management and Budget
Attention: Docket Library, Room 3201
Washington, DC 20503

PART I.—Complete This Part for All Requests.

1. Department/agency and Bureau/office originating request

U.S. Nuclear Regulatory Commission

2. Agency code

3 1 5 0

Name of person who can best answer questions regarding this request

Robert Wood

Telephone number

(301) 492-9885

4. Title of information collection or rulemaking

State Agreements Program

5. Legal authority for information collection or rule (cite United States Code, Public Law, or Executive Order)

USC or Atomic Energy Act of 1954, as amended

6. Affected public (check all that apply)

1 ☐ Individuals or households

3 ☐ Farms

5 ☐ Federal agencies or employees

2 ☒ State or local governments

4 ☐ Businesses or other for-profit

6 ☐ Non-profit institutions

7 ☐ Small businesses or organizations

PART II.—Complete This Part Only if the Request is for OMB Review Under Executive Order 12291

7. Regulation Identifier Number (RIN)

_____, or, None assigned ☐

8. Type of submission (check one in each category)

Classification

1 ☐ Major

2 ☐ Nonmajor

Stage of development

1 ☐ Proposed or draft

2 ☐ Final or interim final, with prior proposal

3 ☐ Final or interim final, without prior proposal

Type of review requested

1 ☐ Standard

2 ☐ Pending

3 ☐ Emergency

4 ☐ Statutory or judicial deadline

9. CFR section affected

CFR

10. Does this regulation contain reporting or recordkeeping requirements that require OMB approval under the Paperwork Reduction Act and 5 CFR 1320? ☐ Yes ☐

11. If a major rule, is there a regulatory impact analysis attached? ☐ Yes ☐

If "No," did OMB waive the analysis? ☐ Yes ☐

Certification for Regulatory Submissions

In submitting this request for OMB review, the authorized regulatory contact and the program official certify that the requirements of E.O. 12291 and any applicable policy directives have been complied with.

Signature of program official

8508010714 850722
PDR ORG EUSOMB
PDR

Date

Signature of authorized regulatory contact

Date

12. (OMB use only)

PART III.—Complete This Part Only if the Request is for Approval of a Collection of Information Under the Paperwork Reduction Act and 5 CFR 1320.

13. Abstract—Describe needs, uses and affected public in 50 words or less

Agreement States are surved to obtain comprehensive information of the materials regulatory program in the U.S.

14. Type of information collection (check only one)

Information collections not contained in rules

1 ☒ Regular submission

2 ☐ Emergency submission (certification attached)

Information collections contained in rules

3 ☐ Existing regulation (no change proposed)

6 Final or interim final without prior NPRM

4 ☐ Notice of proposed rulemaking (NPRM)

A ☐ Regular submission

5 ☐ Final, NPRM was previously published

B ☐ Emergency submission (certification attached)

7. Enter date of expected or actual Federal Register publication at this stage of rulemaking (month, day, year): _____

15. Type of review requested (check only one)

1 ☐ New collection

2 ☐ Revision of a currently approved collection

3 ☒ Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection

4 ☐ Reinstatement of a previously approved collection for which approval has expired

5 ☐ Existing collection in use without an OMB control number

16. Agency report form number(s) (include standard/optional form number(s))

N/A

22. Purpose of information collection (check as many as apply)

1 ☐ Application for benefits

2 ☐ Program evaluation

3 ☐ General purpose statistics

4 ☒ Regulatory or compliance

5 ☐ Program planning or management

6 ☐ Research

7 ☐ Audit

17. Annual reporting or disclosure burden

1 Number of respondents 27

2 Number of responses per respondent 37

3 Total annual responses (line 1 times line 2) 1,000

4 Hours per response 10

5 Total hours (line 3 times line 4) 10,000

18. Annual recordkeeping burden

1 Number of recordkeepers

2 Annual hours per recordkeeper

3 Total recordkeeping hours (line 1 times line 2)

4 Recordkeeping retention period years

19. Total annual burden

1 Requested (line 17-5 plus line 18-3) 10,000

2 In current OMB inventory 10,000

3 Difference (line 1 less line 2) 0

Explanation of difference

4 Program change

5 Adjustment

23. Frequency of recordkeeping or reporting (check all that apply)

1 ☐ Recordkeeping

Reporting

2 ☒ On occasion

3 ☐ Weekly

4 ☐ Monthly

5 ☐ Quarterly

6 ☒ Semi-annually

7 ☐ Annually

8 ☐ Biennially

9 ☐ Other (describe): _____

20. Current (most recent) OMB control number or comment number

3150-0029

21. Requested expiration date

8/88

24. Respondents' obligation to comply (check the strongest obligation that applies)

1 ☐ Voluntary

2 ☐ Required to obtain or retain a benefit

3 ☒ Mandatory

25. Are the respondents primarily educational agencies or institutions or is the primary purpose of the collection related to Federal education programs? ☐ Yes ☒ No

26. Does the agency use sampling to select respondents or does the agency recommend or prescribe the use of sampling or statistical analysis by respondents? ☐ Yes ☒ No

27. Regulatory authority for the information collection

CFR _____ ; or FR _____ ; or, Other (specify): _____

Paperwork Certification

In submitting this request for OMB approval, the agency head, the senior official or an authorized representative, certifies that the requirements of 5 CFR 1320, the Privacy Act, statistical standards or directives, and any other applicable information policy directives have been complied with.

Signature of program official

Date

Signature of agency head, the senior official or an authorized representative

Date

Patricia G. Norry, Director, ADM

SUPPORTING STATEMENT
FOR
OSP REQUESTS TO AGREEMENT STATES FOR INFORMATION

Justification

Prior to 1954, atomic energy activities were largely confined to the Federal Government. In that year, the enactment of the Atomic Energy Act made it possible for private commercial firms to enter the field. Because of the hazards, Congress determined these activities should be regulated under a system of licensing to protect the health and safety of radiation workers and the public. The Nuclear Regulatory Commission, as a successor to the Atomic Energy Commission, is now charged by Congress with this responsibility.

Protection of the public health and safety has traditionally been a State responsibility but the 1954 Act did not carve out any specific role for the States. In 1959, Section 274 of the Atomic Energy Act was enacted to spell out a State role and to provide a statutory basis under which the Federal government could relinquish to the States portions of its regulatory authority. The 1959 amendments made it possible for the States to license and regulate byproducts, source materials and small quantities of special nuclear materials.

The mechanism for the transfer of NRC's authority to a State is an agreement between the Governor of the State and the Commission. Twenty-seven States have entered into such Agreements with NRC. These States now regulate 60% of byproduct, source and special nuclear material licensees in the United States. Their programs are routinely reviewed by the Commission to assure that they are effective in protecting the public health and safety.

Section 274(g) of the Atomic Energy Act authorizes and directs the Commission to cooperate with the States in the formulation of standards for protection against hazards of radiation to assure that State and Commission programs will be coordinated and compatible. As part of the NRC cooperative post-agreement program with the States, information on licensing and inspection practices, and/or incidents, and other technical and statistical information is exchanged.

Section 274(j) of the Atomic Energy Act requires the Commission to periodically review agreements and actions taken by the States to ensure they remain adequate and compatible and comply with other requirements of the Act.

Information received from Agreement States under this program assists NRC in obtaining a complete picture of the materials regulatory program in the United States: Numbers of licenses (including by type), numbers of inspections and inspection data, leaking sources, licensee incidents, radioactive waste collectors and disposal sites, etc. These data provide a basis for assessing the effectiveness of current NRC and Agreement State regulatory programs including identification of regulatory program weaknesses. The information received also provides a critical part of the data base used by NRC for its periodic determinations of adequacy and compatibility of the State programs. There is no source for obtaining the necessary information other than the Agreement States.

Description of Survey Plan

The respondent universe is 27 States who have signed Section 274b agreements with NRC. The list of Agreement State radiation control program directors prepared by NRC's Office of State Programs is used as the mailing list.

Licensing statistics and similar data are collected semiannually. Other data is collected on an as needed basis, often to enable development of program responses to national problems. Standardized formats are followed by the States in assembling the data for the semi-annual report. Other information is solicited on a case-by-case basis for limited, specific purposes. In the latter cases, NRC provides specific, written instructions to the States on the nature of the information needed. In a few cases, information may be requested by telephone.

Pretests are not needed. Routine information collection follows standardized formats. Non-routine requests are limited and specific. Non-responses are handled by written or telephonic follow-up.

Practical Utility

Responsibility for regulating the 20,000 specifically licensed users of radioactive materials is shared between NRC and the 27 Agreement States. The latter range from States regulating as few as 59 licenses to over 2,000 licenses. The collection of data from the individual Agreement States enables assemblage of a data base of the national pattern. Safety problems affecting workers and the public that may not appear to be significant in

small State programs (or may not appear at all) may become apparent in the assembled data base. The data enables the NRC and States to not only identify problems, but to also assess the effectiveness of existing regulatory programs and for planning and evaluation of options for future actions. The data is also utilized for preparing responses to Congressional inquiries and requests for information from other sources, such as the National Governors' Association.

A copy of the instructions and blank tabulation forms for routine licensing statistics and other data is attached.

The licensing statistics and other data are assembled semi-annually and reproduced at the direction of the Office of State Programs. Other data are collected on a periodic basis. Currently requests are made twice per year. Publication dates are scheduled for 6 months after the end of the period covered, e.g., June for statistics for the period ending in December of the previous year.

Consultations Outside the Agency

NRC sponsors an annual meeting of Agreement State radiation control program directors at a three day meeting, usually in October. In addition, NRC is one of the Federal agencies which sponsors the Conference of Radiation Control Program Directors, an organization of State radiation control officials. State radiation control program directors are also consulted individually. NRC is not aware of any significant problems in this program.

Estimation of Respondent Reporting Burden

NRC contacted six Agreement States where sizes and responsibilities are a representative cross-section of the Agreement States. Based upon their estimates, the 27 Agreement States expend a total each year of 10,000 staff-hours providing about 1000 responses to information requests from NRC. Therefore, it is probable that on an average, each State expends 370.3 hours annually to respond to each NRC information collection for a total of 10,000 hours annually. The States are not required to maintain records of their responses.

Estimate of Cost to Federal Government

Based upon manpower system reports, NRC expends about 1,000 professional hours per year on Exchange-of-Information with the Agreement States. Staff experience indicates another 1,000 hours of clerical time also is expended per year. Based upon current estimates, using loaded labor rates of \$60/hour and \$30/hour respectively, the annual cost to the Government would be approximately \$90,000. Semi-annual reports usually total about 33 pages. Typically 92 copies are reproduced for a total of 6,072 pages reproduced annually.

Enclosures: Instructions and
Blank Forms and Information for
Licensing Statistics and Other Data

ALL AGREEMENT STATES

Enclosed is a blank copy of the Semi-Annual Statistical Report for the period January to June 1984. Please complete the report and indicate which State the data is coming from. Would you kindly send the completed reports to us by August 31, 1984.

Donald A. Nussbaumer
Assistant Director for
State Agreements Program
Office of State Programs

Enclosure:
As stated

AGREEMENT STATE LICENSES As of

STATE	MEDICAL	ACADEMIC	INDUSTRIAL	CIVIL DEFENSE	OTHER	TOTAL

AGREEMENT STATE LICENSEES

[illegible]

NRC AND AGREEMENT STATE INSPECTION DATA

[illegible]

PART F
INCIDENTS & OVEREXPOSURES

PART G
LEAKING SOURCES

SOURCE MANUFACTURER	DESCRIPTION OF SOURCE	SOURCE AGE WHEN LEAK OCCURRED	Microcuries of Removable Contamination	COMMENTS (Use)

PART H
WASTE DISPOSAL LICENSEES

PART I
MEDICAL MISADMINISTRATIONS

As of June 30, 1981