

Request for OMB Review

Certified By

DESIGNATED ORIGINAL

*V. Vigil Miller***Important**

Read instructions before completing this 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 for 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

3. Name of person who can best answer questions regarding this request

Robert O'Connell

Telephone number

(301) 427-9025

4. Title of information collection or rulemaking

NRC Form 314, Certificate of Disposition of Materials

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

42 USC 2201(o) or

6. Affected public (check all that apply)

1 ☐ Individuals or households3 ☐ Farms5 ☒ Federal agencies or employees2 ☐ State or local governments4 ☒ Businesses or other for-profit6 ☒ Non-profit institutions7 ☒ 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)

Classification1 ☐ Major2 ☐ Nonmajor**Stage of development**1 ☐ Proposed or draft2 ☐ Final or interim final, with prior proposal3 ☐ Final or interim final, without prior proposal**Type of review requested**1 ☐ Standard2 ☐ Pending3 ☐ Emergency4 ☐ 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 ☐ No

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

1 ☐ Yes 2 ☐ No

If "No," did OMB waive the analysis?

3 ☐ Yes 4 ☐ No**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

Date

Signature of authorized regulatory contact

8511070145 851101
PDR ORG EUSOMB
PDR

Title

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 "Nuclear facilities, radiation safety, radioactive materials" NRC 314 informs NRC whether a terminating licensee has properly transferred or disposed of materials procured under the license and constitutes part of the basis for NRC's determination that the facility has been cleared of radioactive material before the facility is released for unrestricted use.

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))

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

200

2 Number of responses per respondent

1

3 Total annual responses (line 1 times line 2)

200

4 Hours per response

.5

5 Total hours (line 3 times line 4)

100

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)

100

2 In current OMB inventory

100

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): One time, at termination of license

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

3150-0028

21. Requested expiration date

3 years from approval date

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 this 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

10

CFR 30.36(d), 40.42(d),

or

FR

; or, Other (specify):

70.38(d)

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, Office of Administration

11/1/85

SUPPORTING STATEMENT
FOR
NRC FORM 314
"Certificate of Disposition of Materials"
10 CFR Sections 30.36(d), 40.42(d), 70.38(d)

Justification

Need for and Practical Utility of the Information Collection

NRC licenses to possess and use specified radioactive materials are issued for a term of five years. A notice of expiration of license is mailed to such licensees 120 days prior to expiration of the license. Included with the notice is a set of application forms for use if the licensee wishes to apply for renewal of his license, and a copy of NRC Form 314, "Certificate of Disposition of Materials," for use if renewal is not desired. If the licensee does not submit an application for renewal of the license, NRC requires, as part of its process for terminating the license and closing out the file, that the licensee notify the Commission in writing of that termination decision (10 CFR 30.36(c), 40.42(c), 70.38(c)). In connection with, but separate from, that notification, licensees submit an NRC Form 314, which indicates that no materials have been procured and/or furnishes information regarding transfer or other disposition of the materials.

The staff reviews NRC Form 314 to determine whether the licensee has materials on hand which must be transferred or otherwise disposed of prior to expiration of the license and, if materials have been transferred or disposed of, to determine whether transfer or disposition of the materials has been in accordance with NRC regulations. The information submitted on Form 314 constitutes part of the basis for the determination by NRC that the facility has been cleared of radioactive material before the facility is released for unrestricted use.

Description of Information Collection

NRC Form 314 is sent to each NRC materials licensee 120 days before expiration of the license. Approximately 1200 are sent out annually.

The licensee is requested to either file an application for renewal of the license or, if renewal is not desired, complete Form 314 and return it to the NRC.

Approximately 200 licensees each file one Form 314 annually.

The submitted forms are stored in a secure docket file room as part of the retired files. They are available for public inspection on request.

Reduction of Burden through Information Technology

The burden associated with completion of this brief one-time form is not currently amenable to reduction through the use of information collection technology.

Efforts to Avoid Duplication

In a few instances, portions of the needed information might also be contained in other information submittals to NRC or other Federal agencies. However, duplication, if any, is slight, and the collection of this information by use of Form 314 is the most effective and least burdensome means of obtaining the information.

Efforts to Reduce Small Business Burden

This form is required of small business as well as large ones. Since the need for NRC to determine whether radioactive materials have been safely transferred or disposed of and whether the facility has been cleared of radioactive material before release is the same for large and small entities, it is not possible to reduce the burden on small entities by less frequent or less complete reporting of this one-time requirement.

Consequences of Less Frequent Collection

This report is only submitted once, upon termination of the license. If the report were not submitted at that time, the NRC would not be able to determine readily whether any radioactive materials remain on the site, whether disposition of materials has been made in accordance with the regulations, and whether the site has been cleared of radioactive materials and may be released for unrestricted use.

Circumstances Which Justify Variation from OMB Guidelines

There is no variance from OMB guidelines.

Consultations Outside NRC

There have been no consultations outside the agency since the initial GAO clearance of the form. NRC Form 314 or its equivalent has been in use for over 20 years without any adverse comments having been received concerning its use.

Confidentiality

None.

Sensitive Questions

None.

Estimate of Cost to the Federal Government

The annual cost to the Federal Government is estimated to be \$1,980 (\$600 for 10 hours professional, and \$1,380 for 90 hours clerical).

Estimate of Compliance Burden

Respondents are firms, institutions, and individuals holding NRC licenses to possess and use radioactive materials, who do not wish to renew those licenses.

Approximately 200 respondents each file one Form 314 annually.

Each form requires approximately 0.5 hours to prepare.

$200 \times 0.5 \text{ hours} =$ a total annual burden for all respondents of about 100 hours.

The annual cost to the public, calculated at a rate of \$60 per hour, is estimated to be \$6,000.

CERTIFICATE OF DISPOSITION OF MATERIALS

(All items **MUST** be completed, please print)

LICENSEE NAME AND ADDRESS

LICENSE NUMBER

LICENSE EXPIRATION DATE

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT: (Check and/or complete the appropriate item(s) below.)

A. MATERIALS DATA (Check one and complete, as necessary)

- ☐ 1. NO MATERIALS HAVE EVER BEEN POSSESSED OR PROCURED BY THE LICENSEE UNDER THIS LICENSE.
- OR
- ☐ 2. ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSEE UNDER THE LICENSE NUMBER CITED ABOVE HAVE BEEN TRANSFERRED ON
- | | | |
|------|----|------------------------------|
| DATE | TO | WHICH HAS NRC LICENSE NUMBER |
| | | |
- OR
- ☐ 3. ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSEE UNDER THE LICENSE NUMBER CITED ABOVE HAVE BEEN TRANSFERRED ON
- | | | | |
|------|----|--------------------------|------------------------|
| DATE | TO | WHICH HAS LICENSE NUMBER | ISSUED BY THE STATE OF |
| | | | |
- OR
- ☐ 4. MATERIALS HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER: (Describe specific disposal procedures--if additional space is needed, use the reverse of this form, or provide attachments)
- AN AGREEMENT STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED, AND THE ENERGY REORGANIZATION ACT OF 1974.

B. OTHER DATA

- ☐ 1. OUR LICENSE HAS NOT YET EXPIRED: PLEASE TERMINATE IT.
- ☐ 2. WAS A RADIATION SURVEY CONDUCTED TO CONFIRM THE ABSENCE OF LICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE? (Check one)
- ☐ NO
- ☐ YES, THE RESULTS (Check one)
- ☐ ARE ATTACHED, OR
- ☐ WERE FORWARDED TO NRC ON (Date)
3. THE PERSON TO BE CONTACTED REGARDING THE INFORMATION PROVIDED ON THIS FORM
- | | |
|------|------------------|
| NAME | TELEPHONE NUMBER |
| | |
4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO
-

RETURN TO:

DIRECTOR, DIVISION OF FUEL CYCLE AND MATERIAL SAFETY
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555

CERTIFYING OFFICIAL

SIGNATURE

DATE

PRINTED NAME AND TITLE