

DRAFT SUPPORTING
STATEMENT FOR
NRC FORM 7, "APPLICATION FOR NRC EXPORT/IMPORT
LICENSE, AMENDMENT, RENEWAL OR CONSENT REQUEST(S)"
(3150-0027)

EXTENSION

Description of the Information Collection

The United States (U.S.) Nuclear Regulatory Commission (NRC), under the Atomic Energy Act of 1954, as amended, (AEA) and Title II of the Energy Reorganization Act of 1974, as amended, has authority for exercising export and import controls over nuclear equipment and material. All persons who wish to export or import nuclear equipment and material as specified in 10 CFR Part 110, Sections 110.8, 110.9, and 110.9a must provide certain information to enable the NRC and the Executive Branch to make required export and import licensing determinations to ensure compliance with NRC regulations and to satisfy statutory requirements of the AEA. The most common form of information requested is that provided on the NRC Form 7 application.

"NRC Form 7, Application for NRC Export/Import License, Amendment, Renewal, Or Consent Request(s)," is used to collect the information needed for compliance with the requirements in the AEA.

A. JUSTIFICATION

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

Pursuant to the Atomic Energy Act of 1954, as amended, the NRC uses NRC Form 7 as a multipurpose license application form designed to allow persons to provide the minimum amount of information necessary for NRC to fulfill the statutory and regulatory requirements governing exports and imports of nuclear material and equipment under the NRC's authority. The form is clear, concise, easy to understand, and simple to prepare.

Completion of the NRC Form 7 is required to obtain an authorization to export or import certain nuclear equipment and material under NRC jurisdiction. The form supports an agency reporting requirement from the public to provide information to the NRC for its review and consideration in granting authorization to export or import nuclear equipment and material.

2. Agency Use and Practical Utility of Information

Data collected on the NRC Form 7 provides the Commission with the information needed to describe the materials proposed for export or import, identifies the countries receiving the materials, names any other parties to the transaction, and provides multiple means to contact the applicant if the Commission has additional questions. With this information, the Commission and the Executive Branch are able to

easily review the license application and make the required licensing determinations to ensure compliance with regulations. If all the applicable statutory, regulatory, and policy considerations are satisfied, the NRC will issue a license.

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 has issued [Guidance for Electronic Submissions to the NRC](#) which provides direction for the electronic transmission and submittal of documents to the NRC. NRC Form 7 has electronic signature capability and licensees can submit by email. The NRC staff estimates the 90% of submissions are electronic. Some licensees (approximately 10%) choose to submit a paper copy rather than an electronic submission. Since working during the pandemic, all applications were filed electronically, and the NRC has established an email account for filing all export and import license applications. The email for submitting applications to obtain a specific license is NRCForm7nrc.gov@usnrc.onmicrosoft.com.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

The requirements specified in 10 CFR §§ 110.20-110.27, 110.31, and 110.32 are the same for large and small businesses, because the nuclear proliferation, security and policy concerns are the same; therefore, all businesses must provide the same data. The NRC issued general licenses in the 1980s, which has been of more benefit to small businesses. The NRC also allows businesses apply for broad, long-term licenses to export materials which are particularly beneficial to small businesses in reducing burdens associated with paperwork expenses and uncertainties in delivery.

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

If an export or import is not authorized by one of the general licenses in 10 CFR §§ 110.20-110.27, a specific license is required, which requires completion and submittal of the NRC Form 7 license application. The information requested to complete the Form 7 in 10 CFR §§ 110.31-32 is submitted only when deemed necessary by respondents and is keyed to the decision criteria that guides the NRC in approving or denying applications for the different types of equipment or materials that must be licensed. It specifically incorporates the requirements of the Atomic Energy Act of 1954, as amended. Therefore, if the collection is not conducted or is conducted on a less frequent basis, a person who wishes to export under NRC's export authority would be unable to do so because the NRC could not make the necessary determination on whether a license should be issued.

The information cannot be collected on a less frequent basis because it would delay or prevent exports or imports from being approved by the NRC. .

7. Circumstances which Justify Variation from OMB Guidelines

None.

8. Consultations Outside the Nuclear Regulatory Commission

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register*.

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).

11. Justification for Sensitive Questions

There are no sensitive questions.

12. Estimated Burden and Burden Hour Cost

The NRC estimates 64 applications will be filed annually on NRC Form 7. Using an average cost of \$288 per hour for reactor licenses and material licensees, the annual cost expended by the public to prepare 64 NRC Form 7s 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>
64	1	2.4	153.6	\$44,237

The total annual burden is estimated to cost \$44,237 (153.6 x \$288).

The \$288 hourly rate used in the burden estimates is based on the Nuclear Regulatory Commission's fee for hourly rates as noted in 10 CFR 170.20 "Average cost per professional staff-hour." For more information on the basis of this rate, see the Revision of Fee Schedules; Fee Recovery for Fiscal Year 2021 (86 FR 32146, June 17, 2021).

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The collection of information under the NRC Form 7 is estimated to require a total of 1,984 hours annually. This estimate is based on license processing data collected during the agency's most recent Biennial Fee Review conducted in August 2020 using data from the most recent 2 years at the time the review was performed. This review calculated that each NRC Form 7 required an average of 31 hours of staff time to process each of the estimated 64 annual responses processed annually ($31 \times 64 = 1,984$ hours). Therefore, the revised total annual cost to the Federal Government, at \$288 per hour for licenses, is \$571,392 (1,984 professional staff hours x \$288).

15. Reasons for Changes in Burden or Cost

The overall burden decreased by 50 hours, from 204 to 153.6 in response to a reduction in the number of respondents from 85 to 64. Fewer applications were received because of the pandemic as export orders were either canceled or delayed.

There was a decrease in the overall cost because although the hourly rate increased from \$263 to \$288, the number of responses decreased from 85 to 64.

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

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in the collection of information.