



U.S. Energy Information Administration

Assistant Administrator for Energy Statistics

**Office of Electric, Renewables, and Uranium
Statistics**

Supporting Statement for Survey Clearance

URANIUM DATA PROGRAM

Form EIA-851A, DOMESTIC URANIUM PRODUCTION REPORT (ANNUAL)

Form EIA-851Q, DOMESTIC URANIUM PRODUCTION REPORT (QUARTERLY)

Form EIA-858, URANIUM MARKETING ANNUAL SURVEY

OMB No. 1905-0160

Background and Proposal; Part A Materials

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Background and Proposal

Background

The U.S. Energy Information Administration (EIA) is the statistical and analytical agency within the U.S. Department of Energy (DOE). It collects, analyzes, and disseminates independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding regarding energy and its interaction with the economy and the environment.

The uranium surveys discussed herein constitute EIA's Uranium Data Program (UDP) and are part of EIA's comprehensive energy data program. The surveys are intended to collect high-quality statistical data on domestic uranium supply and demand activities, including production, exploration and development, trade, and purchases and sales available to the U.S. The audience for these data includes the Congress, other Executive Branch agencies, the nuclear industry, and the public in general. The specific surveys are:

- Form EIA-851A "Domestic Uranium Production Report (Annual)" collects annual data from the U.S. uranium industry on uranium milling and processing, uranium feed sources, uranium mining, employment, drilling, expenditures, and uranium reserves.
- Form EIA-851Q "Domestic Uranium Production Report (Quarterly)" collects monthly data from the U.S. uranium industry on uranium production and sources (mines and other) on a quarterly basis.
- Form EIA-858 "Uranium Marketing Annual Survey" collects annual data from the U.S. uranium market on uranium contracts and deliveries, inventories, enrichment services purchased, uranium in fuel assemblies, feed deliveries to enrichers, and unfilled market requirements. Uranium deliveries, feed deliveries to enrichers, and unfilled market requirements are reported both for the current reporting year and for the following ten years.

The information collection proposed in this supporting statement has been reviewed in light of applicable EIA information quality guidelines. It has been determined that the information would be collected, maintained, and used in a manner consistent with the Office of Management and Budget (OMB), DOE, and EIA information quality guidelines.

Proposal

EIA requests a three-year clearance to modify and continue the use of Form EIA-851A "Domestic Uranium Production Report (Annual)," Form EIA-851Q "Domestic Uranium Production Report (Quarterly)," and the Form EIA-858 "Uranium Marketing Annual Survey" through 12/31/2015, instead of 1/31/2016, to start collecting data on their regular schedule. These forms were previously cleared under OMB number 1905-0160 through 1/31/2013.

EIA is proposing minor changes to Form EIA-851Q and its reporting instructions, and to the reporting instructions to Form EIA-851A and Form EIA-858. These proposed changes were published on March 26, 2012 in the *Federal Register* Vol. 77, No. 58. Public comments to the proposed changes are summarized in Appendix 1 of this supporting statement.

For Form EIA-851Q, EIA purposes to collect supervisor information in addition to the responding company, the parent company, and the contact/preparer information. The name of the supervisor is routinely collected on other EIA surveys to provide a contact point in the event of non-response problems. For Form EIA-851A, EIA proposes two minor changes to clarify the instructions for Item 8, Reserve (Reasonably Assured Resource) Estimate. For Form EIA-858, EIA proposes a change to clarify the instructions for Item 5, Uranium Feed Deliveries to U.S. and Foreign Enrichers in the Survey Year. These changes are:

- Form EIA-851A, Item 8 instructions:
 - State – Enter the ~~two-letter U.S. Postal Service abbreviation for the~~ State of the property.
 - Reserve (Reasonably Assured Resource) Estimates by Forward Cost Categories – Enter the reserve (~~reasonably assured~~ resource) quantities ~~for ore, grade, and pounds U₃O₈~~ by cost categories. For reporting purposes, EIA considers reserves and reasonably assured resources to be functionally equivalent. ~~Do not report inferred resources.~~
- Form EIA-858, Item 5 instructions:
 - **Item 5. Uranium Feed Deliveries to U.S. and Foreign Enrichers in the Survey Year:** Enter the country origins and associated quantity of uranium feed shipped to enrichment plants, indicating each country where the enrichment plant is located. ~~Do not include deliveries placed in your usage agreement account that are not intended for withdrawal until in the next calendar year or later. Withdrawals of enriched uranium from your usage agreement account in the Survey Year, however, should be included as appropriate in your response(s).~~

A. Justification

A.1. Legal Justification

The authority for this data collection is derived from the following provision:

Section 13(b), 15 U.S.C. §772(b), of the Federal Energy Administration Act (FEA Act), Public Law 93-275, outlines the types of individuals subject to the data collection authority delegated to the Administrator and the general parameters of the type of data which can be required. Section 13(b) states:

“All persons owning or operating facilities or business premises who are engaged in any phase of energy supply or major energy consumption shall make available to the [Secretary] such information and periodic reports, records, documents, and other data relating to the purposes of this Act, including full identification of all data and projections as to source, time, and methodology of development, as the [Secretary] may prescribe by regulation or order as necessary or appropriate for the proper exercise of functions under this Act.”

The objectives of the FEA Act are set forth in Section 5(b), 15 U.S.C. §764(b), of the FEA Act, which states that the Secretary shall, to the extent (s)he is authorized by Section 5(a) of the FEA Act,

“(2) assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public;...

(9) collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data;

(12) perform such other functions as may be prescribed by law.”

As the authority for invoking Section 5(b) above, Section 5(a), and 15 U.S.C. §764(a), of the FEA Act in turn states:

“Subject to the provisions and procedures set forth in this Act, the [Secretary] shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions:

(1) specifically transferred to or vested in him by or pursuant to this Act;...

(3) otherwise specifically vested in the [Secretary] by the Congress.”

Authority for invoking Section 5(a) of the FEA Act is provided by Section 52, 15 U.S.C. §790(a) and (b), of the FEA Act, which states that the Administrator of the EIA:

“(a)... [Shall] establish a National Energy Information System... [which] shall contain such information as is required to provide a description of and facilitate analysis of energy supply and consumption...

(b) ...the System shall contain such energy information as is necessary to carry out the Administration's statistical and forecasting activities..., and such energy information as is required to define and permit analysis of...

(1) the institutional structure of the energy supply system, including patterns of ownership and control of mineral fuel and non-mineral energy resources and the production, distribution, and marketing of mineral fuels and electricity;

(2) the consumption of mineral fuels, non-mineral energy resources, and electricity by such classes, sectors, and regions as may be appropriate for the purposes of this Act;

(3) the sensitivity of energy resource reserves, exploration, development, production, transportation, and consumption to economic factors, environmental constraints, technological improvements, and substitutability of alternate energy sources; . . .

(5) ...industrial, labor, and regional impacts of changes and patterns of energy supply and consumption...”

Additional authority for collection of uranium information on Form EIA-858 "Uranium Marketing Annual Survey," is provided through the Energy Policy Act of 1992 (EPACT 1992), Public Law 102-486. This law states under Subtitle B, 42 U.S.C. § 2296b-4, SEC. 1015. ANNUAL URANIUM PURCHASE REPORTS.

“(a) IN GENERAL- By January 1 of each year, the owner or operator of any civilian nuclear power reactor shall report to the Secretary (of Energy), acting through the Administrator of the Energy Information Administration, for activities of the previous fiscal year--

(1) the country of origin and the seller of any uranium or enriched uranium purchased or imported into the United States either directly or indirectly by such owner or operator; and

(2) the country of origin and the seller of any enrichment services purchased by such owner or operator.

(b) CONGRESSIONAL ACCESS- The information provided to the Secretary pursuant to this section shall be made available to the Congress by March 1 of each year.”

A.2. Needs and Uses of Data

A.2.1. Overview of Data Needs and Uses

The EIA Uranium Data Program (UDP) are intended to collect high-quality statistical data on domestic uranium supply and demand activities, including production, exploration and development, trade, and purchases and sales available to the U.S. The audience for these data includes the Congress, other Executive Branch agencies, the nuclear industry, and the public in general. The specific surveys are:

- Form EIA-851A “Domestic Uranium Production Report (Annual)” collects annual data from the U.S. uranium industry on uranium milling and processing, uranium feed sources, uranium mining, employment, drilling, expenditures, and uranium reserves.
- Form EIA-851Q “Domestic Uranium Production Report (Quarterly)” collects monthly data from the U.S. uranium industry on uranium production and sources (mines and other) on a quarterly basis.
- Form EIA-858 “Uranium Marketing Annual Survey” collects annual data from the U.S. uranium market on uranium contracts and deliveries, inventories, enrichment services purchased, uranium in fuel assemblies, feed deliveries to enrichers, and unfilled market requirements. Uranium deliveries, feed deliveries to enrichers, and unfilled market requirements are reported both for the current reporting year and for the following ten years.

The data collected on these surveys are unique. Although limited amounts of related or somewhat similar data may be available from other Federal agencies, industry, and private sources, those data collections are not reasonable alternatives for the data sets obtained through the UDP surveys.

The data collected on the Form EIA-851A are needed for and used to publish annually:

- Exploration and development drilling activities in the U.S. uranium production industry including data on number of holes and drilling footage;
- U.S. uranium mine production and number of operating mines;
- Activities at U.S. uranium mills and in-situ leach plants including uranium concentrate production and shipments;
- Owner, location, capacity, and operating status of existing and planned uranium concentrate facilities;
- Employment in the U.S. uranium production industry by exploration, mining, milling, processing, and reclamation categories and by State;
- Expenditures for land, exploration, drilling, production, and reclamation in the U.S. uranium production industry;
- U.S. questionnaire input to the *Uranium Resources, Production and Demand* “Red Book” (OECD/Nuclear Energy Agency and International Atomic Energy Agency);
- U.S. questionnaire input to the *Nuclear Energy Data* “Brown Book” (OECD/Nuclear Energy Agency);

- U.S. input for the *U.S. Country Nuclear Power Profile* (International Atomic Energy Agency);
- Data to support future updates on U.S. uranium reserve estimates by mining method and State ([U.S. Uranium Reserve Estimates](#));
- Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) Information Access Agreement signed in March 2012 between the EIA and U.S. Geological Survey (USGS), to support USGS studies of domestic uranium resources including undiscovered resource assessments. Form EIA-851A data will be used by the USGS to calculate grade/tonnage curves of undiscovered uranium resources. This agreement provides for the disclosure by the EIA of individually-identifiable survey information submitted to the EIA as confidential and for exclusively statistical purposes in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) to the USGS. This data will be used for statistical purposes only by the USGS.

The data collected on the Form EIA-851Q are needed for and used to publish quarterly:

- U.S. production of uranium concentrate from ore and/or solutions from different methods of mining, including in-situ leaching, open pit, underground, and other sources;
- Number of U.S. uranium facilities producing uranium concentrate;
- Owner, location, capacity, and operating status of existing and planned uranium concentrate processing facilities.

The data collected on the Form EIA-858 are needed for and used to publish annually:

- Data made available to Congress on the origin countries and sellers of any uranium and enrichment services purchased or imported into the United States by owners or operators of any U.S. civilian nuclear power reactors;
- Data on uranium marketing activities in the United States, including quantities, prices and origins of uranium transactions and enrichment services, contract and material types, domestic and foreign purchases and sales, origin and destinations of enrichment feed deliveries, quantity of uranium loaded into U.S. civilian nuclear power reactors, and uranium inventories;
- Data on U.S. uranium market requirements, including future contracted deliveries (filled requirements), unfilled market requirements, and projected enrichment feed deliveries;
- U.S. questionnaire input to the *Uranium Resources, Production and Demand* “Red Book” (OECD/Nuclear Energy Agency and International Atomic Energy Agency);
- U.S. questionnaire input to the *Nuclear Energy Data* “Brown Book” (OECD/Nuclear Energy Agency);
- U.S. input for the *U.S. Country Nuclear Power Profile* (International Atomic Energy Agency).
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A.2.2. Overview of Data Collections

Form EIA-851A “Domestic Uranium Production Report (Annual)” collects annual data from the U.S. uranium industry on uranium milling and processing, uranium feed sources, uranium mining, employment, drilling, expenditures, and uranium reserves.

Form EIA-851Q “Domestic Uranium Production Report (Quarterly)” collects monthly data from the U.S. uranium industry on uranium production and sources (mines and other) on a quarterly basis.

Form EIA-858 “Uranium Marketing Annual Survey” collects annual data from the U.S. uranium market on uranium contracts, deliveries, inventories, enrichment services purchased, uranium in fuel assemblies, feed deliveries to enrichers, and unfilled market requirements. Uranium deliveries, feed deliveries to enrichers, and unfilled market requirements are reported both for the current reporting year and for the following ten years.

A.2.3. Individual Form Data Uses

The EIA UDP data are collected, reviewed, tabulated and used to provide statistics on the U.S. uranium production industry and market. The data appear in several EIA publications that are available from EIA's website.

- Domestic Uranium Production Report - Annual*
<http://www.eia.gov/uranium/production/annual/>
- Domestic Uranium Production Report - Quarterly*
<http://www.eia.gov/uranium/production/quarterly/>
- *Uranium Marketing Annual Report*
<http://www.eia.gov/uranium/marketing/>
- *Annual Energy Review*
<http://www.eia.gov/totalenergy/data/annual/>

A.3. Use of Technology

A.3.1. General

The EIA is utilizing information technology to improve reporting options for respondents to all uranium surveys. The EIA provides an electronic e-filing system that respondents may use to complete and submit the surveys via a secure internet browser-based system. The e-filing system for the Form EIA-858 survey has been in operation since 2006 and the e-filing system for the Form EIA-851A and Form EIA-851Q surveys has been in operation since 2008. The e-filing system allows respondents to enter their data directly into the EIA survey database. The system also allows respondents to make necessary corrections or to explain unusual events impacting the reported data prior to submission by identifying data that fails edits prior to submission. This reduces respondent burden by reducing the number of times a respondent must resubmit forms prior to acceptance by EIA. The only equipment and software the respondent is required to have is a connection to the Internet and a standard industry web browser that supports secured socket layering. The EIA will continue to make all survey forms and instructions available for printing or downloading from the EIA website.

A.3.2. Use of Pick-Lists (Including Dynamic Lists)

Pick-lists are a means of limiting a respondent's answers to a question to a finite set of acceptable choices. The objectives are to reduce respondent burden and to improve data quality, while reducing the time and effort needed by EIA to edit a response.

Pick-lists¹ are used in software-enabled surveys to:

- Avoid typographical errors, such as mistyping the abbreviation for a state or month;
- Assure consistent responses to questions asking standard information, such as entering a state as text or a number;
- Assure consistent responses to questions asking for technical information when the same concept has multiple monikers (e.g., "short term" and "spot" fuel supply contracts).

When the pick-list requests a choice of technical information, the list typically includes an "Other" choice. In some cases the "Other" choice is accompanied by a request for the respondent to provide additional information in a comment area in the survey. The "Other" choice acts as a mechanism to ensure that the form is capable of collecting all possible categories when a pick-list is variable.

There are three types of pick-lists that may be used in software-enabled EIA surveys:

- Static pick-lists include information which does not change, such as a list of months.
- Variable pick-lists include choices that may be changed by EIA depending on the period of time covered by the survey or another circumstance.
 - **Time Dependent:** In the case of the EIA-858 Item 6, data is collected for the following ten years. Therefore, for the 2012 data collection the pick-list of years would be limited to 2013 through 2022.
 - **Circumstance Dependent:** For instance, the EIA-851A and EIA-851Q include a pick-list of uranium facility types (such as in Item 1). Therefore the pick-list of types included in a survey for 2011 might be shorter than the list for 2012 (i.e., edited by EIA, as a routine maintenance function, in the software application).
- Dynamic pick-lists include a list of choices that varies depending on the respondent's answer to another question.

A dynamic pick-list is analogous to another standard technique in software-enabled surveys, the skip pattern, also used to avoid spurious responses and to reduce respondent burden. As currently

¹ Pick-lists are sometimes referred to as "drop-down" lists because of the typical appearance of the list in a software application.

configured the UDP e-filing systems do not include dynamic pick-lists, but this feature may be added to assist respondent data entry as part of routine software maintenance and upgrades.

A.4. Efforts to Reduce Duplication

Every effort has been made by EIA to ensure that data are not collected by more than one Federal government agency.

A.4.1. Analysis of Similar Existing Information

EIA is the only principal statistical agency that collects and/or maintains uranium data in the Federal Government.

Federal agencies with statistical programs that collect and/or maintain uranium data in the U.S. Federal Government include:

- Environmental Protection Agency (EPA)
- U.S. Geological Survey (USGS)

Non-statistical agencies that collect and/or maintain uranium data in the U.S. Federal Government include:

- Department of Commerce, Bureau of Industry and Security (BIS), U.S. Additional Protocol (AP)
- Department of Commerce, International Trade Administration (ITA)
- Department of Energy, Office of Environmental Management (EM)
- Department of Energy, Office of Legacy Management (LM)
- Department of Energy, Office of Nuclear Energy (NE)
- Department of Energy, National Nuclear Security Administration (NNSA), Nuclear Materials Management & Safeguard System (NMMSS)
- Department of the Interior, Bureau of Land Management (BLM)
- Nuclear Regulatory Commission (NRC)
- U.S. International Trade Commission (US ITC)

EIA evaluated the above sources of publicly available uranium data and found no other source as comprehensive, timely, or detailed as the data collected on Form EIA-851A, Form EIA-851Q, and Form EIA-858. EIA surveys capture the entire U.S. uranium industry and market, and keep the reporting burden to a minimum.

A.5. Provisions for Reducing Burden on Small Businesses

Minimizing the burden on small businesses responding to EIA surveys is of primary concern to the EIA. To the extent possible EIA designs its data surveys so that small operations are not unduly affected. This is especially important to the UDP as small business constitute a sizeable segment of the U.S. uranium industry. Companies engaged in the U.S. uranium industry range in size from small firms to large firms. The small firms participate in a limited or full range of industry activities from land acquisition through exploration, drilling, mining, milling, processing, conversion, and U.S. market broker/traders. The large firms own and operate U.S. nuclear power reactors, enrich uranium, and fabricate nuclear fuel assemblies. Given the relatively small number of firms in the U.S. uranium industry, it is important that each firm in the industry, regardless of its size, participate in the EIA's UDP surveys in order for the resulting statistical information to accurately represent the entire U.S. industry and market. To accomplish this, the UDP survey forms only request data for items that are normally recorded in maintaining any business. Of the data elements requested, EIA anticipates that little time will be required of small companies in preparing their responses. The use of electronic data collection, including features such as pick-lists (see A.3., above) is also intended to reduce the response burden on small business.

A.6. Consequences of Less-Frequent Reporting

Less frequent reporting would not enable EIA to meet its mandate of providing timely, reliable information on the U.S. uranium industry and market to the Congress, other Federal, State and local governments, industry, and the general public. Form EIA-851A and Form EIA-858 surveys collect uranium data on an annual basis. Form EIA-851Q survey collects three months of U.S. uranium production data on a quarterly basis.

A.7. Compliance with 5 CFR 1320.5

EIA UDP data are being collected consistent with the guidelines in 5 C.F.R. 1320.5.

A.8. Summary of Consultations outside the Agency

Consultations were conducted by EIA using a *Federal Register* Notice (FR Vol. 77, No. 58, pp. 17464-17465) published on March 26, 2012. Copies of the notice were e-mailed to potential respondents and the Nuclear Energy Institute (NEI) for comment. This supporting statement will be made available on the EIA website, along with drafts of the proposed UDP forms and instructions. A summary of the comments received, along with the EIA responses provided are in Appendix 1.

A.9. Payments or Gifts to Respondents

No payments or gifts are made to the respondents of these UDP surveys.

A.10. Provisions for Confidentiality of Information

EIA UDP surveys are collected under the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA). CIPSEA provides legal authority for a federal statistical agency to provide a pledge of confidentiality protection to its statistical survey information collection activities. A copy of CIPSEA is available at <http://www.eia.doe.gov/oss/CIPSEA.pdf>. EIA is required to pledge to respondents that it will keep the provided information confidential and that the information will be exclusively used for statistical purposes. The appropriate wording should be incorporated into the survey instructions and the form should include a reference to the instructions for details about confidentiality. If all the elements on a form are not subject to the same confidentiality provisions, the instructions should be explicit on which confidentiality provisions apply to specific data elements.

The following text is used by EIA for the CIPSEA confidentiality pledge:

The information you provide will be used for statistical purposes only. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A of Public Law 107-347 and other applicable Federal laws, your responses will be kept confidential and will not be disclosed in identifiable form to anyone other than employees or agents without your consent. By law, every EIA employee, as well as every agent, is subject to a jail term, a fine of up to \$250,000, or both if he or she discloses ANY identifiable information about you.

Laws and regulations considered are:

- Confidential Information Protection and Statistical Efficiency Act of 2002, (44 U.S.C. 3501)
- The Trade Secrets Act, (18 U.S.C. 1905);
- The Freedom of Information Act (FOIA), (5 U.S.C. 552);
- The Department of Energy, Freedom of Information Act (FOIA) Regulations, (10 C.F.R. 1004);
- The Paperwork Reduction Act, (44 U.S.C. 35).

Except for the elements listed below, the information provided on the EIA UDP forms will be used for statistical purposes only and kept confidential under the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA).

The following elements reported on the EIA UDP surveys will be considered “public information” and may be publicly released in company or individually identifiable form, and will not be protected from disclosure in identifiable form.

Form EIA-851A (Annual) and Form EIA-851Q (Quarterly):

Respondent and Contact Information:

- Company Name

Item 1: Facility Information

- Name
- County
- State
- Owner
- Rated Capacity
- Operating Status

Form EIA-858:

Respondent and Contact Information:

- Company Name

Item 1: Contract

- A. Other Party Name

Item 3, Enrichment Services Purchased by Owners and Operators of Civilian Nuclear Power Reactors

- B. Seller's Name

For respondents to Form EIA-851A and Form EIA-851Q, the pledge will read:

The information elements (Company name, Facility Information reported in Item including Name, County, State, Owner, Rated Capacity and Operating Status) reported on Form EIA-851A and Form EIA-851Q will be treated as public information and released in identifiable form. All other information you provide will be used for statistical purposes only. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A of Public Law 107-347 and other applicable Federal laws, your responses will be kept confidential and will not be disclosed in identifiable form to anyone other than employees or agents without your consent. By law, every EIA employee, as well as every agent, is subject to a jail term, a fine of up to \$250,000, or both if he or she discloses ANY identifiable information about you.

For respondents to Form EIA-858, the pledge will read:

The information elements (Company name, Other Party Name under Item 1 and Seller's Name under Item 3) reported on Form EIA-858 will be treated as public information and released in identifiable form. All other information you provide will be used for statistical purposes only. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A of Public Law 107-347 and other applicable Federal laws, your responses

will be kept confidential and will not be disclosed in identifiable form to anyone other than employees or agents without your consent. By law, every EIA employee, as well as every agent, is subject to a jail term, a fine of up to \$250,000, or both if he or she discloses ANY identifiable information about you.

A.11. Justification for Sensitive Questions

There are no questions on the EIA UDP surveys of a sensitive nature.

A.12. Estimate of Respondent Burden Hours and Cost

The number of respondents on the EIA UDP surveys can fluctuate at any given time. As in the past, the burden estimate includes time gathering and maintaining the data needed, and completing and reviewing the collection of information.

Form EIA-851A "Domestic Uranium Production Report (Annual)"				
Number of Respondents Per Year	Burden Hours per Response	Number of Responses per Year per Respondent	Annual Number of Responses	Annual Burden Hours
76	5	1	76	380

Form EIA-851Q "Domestic Uranium Production Report (Quarterly)"				
Number of Respondents Per Quarter	Burden Hours per Response	Number of Responses per Year per Respondent	Annual Number of Responses	Annual Burden Hours
15	0.75	4	60	45

Form EIA-858 "Uranium Marketing Annual Survey"				
Number of Respondents Per Year	Burden Hours per Response	Number of Responses per Year per Respondent	Annual Number of Responses	Annual Burden Hours
69	15	1	69	1,035

The overall total burden for the EIA UDP surveys is 1,460 hours annually. There are a total of 131 respondents who file a total of 205 forms annually, as some respondents report on more than one of the UDP forms. This results in an average of 1.56 individual responses (filings of an individual form) per year per respondent with each response averaging 7.12 hours, yielding an average annual burden of 11.14 hours per respondent. The total annual cost of the surveys is estimated to be \$98,900 (burden hours times \$67.74 per hour). An average cost per hour of \$67.74 is used because that is the average

loaded (salary plus benefits) cost for an EIA employee. EIA assumes that the survey respondent workforce completing surveys is comparable with the EIA workforce.

A.13. Annual Reporting and Record Keeping Cost

There are no additional capital and start-up cost components or operations and maintenance associated with the UDP data collection effort that is being funded by the EIA. The information is maintained in the normal course of business. Therefore, other than the cost of burden hours, there are no additional costs for generating, maintaining, and providing the information. EIA's expectation is that the use of electronic data collection, including features such as pick-lists (see A.3., above) will help minimize the burden on respondents. In addition, by improving data quality these features will reduce the need for respondents to spend time resolving data errors with EIA.

A.14. Annual Cost to the Federal Government

The annual cost for EIA's UDP is estimated at \$141,000 in FY 2012 (comprising 1 Full-Time Equivalent at \$67.74 per hour, salary plus benefits). This cost estimate includes personnel, maintenance, collection, and processing by EIA. Regulatory analysis and support are outside the scope of this survey. The estimate also reflects the expected benefits from the use of electronic data collection; including features such as pick-lists (see A.3., above).

A.15. Changes in Burden

The currently approved burden in 2009 for the EIA UDP (OMB Number 1905-0160) is 234 responses annually for a total of 1,531 hours. The proposed burden for this request is 205 responses annually for a total of 1,460 hours. This is a decrease of 29 responses annually and 71 hours annually, due to a decrease in the number of respondents across the surveys. There is no change resulting from an EIA program change.

EIA Form Number	2009 Burden	2012 Burden	Difference due to Adjustment	Difference due to Program Change
Form EIA-851A	505 hours 101 responses	380 hours 76 responses	-125 hours -25 responses	None
Form EIA-851Q	51 hours 68 responses	45 hours 60 responses	-6 hours -8 responses	None
Form EIA-858	975 hours 65 responses	1,035 hours 69 responses	+60 hours +4 responses	None
Total	1,531 hours 234 responses	1,460 hours 205 responses	-71 hours -29 responses	None

A.16. Collection, Tabulation, and Publication Plans

The data collected on the UDP forms will be aggregated in EIA reports and made available on the EIA website.

Form	Start Date	Due Date	Period	Publication	On EIA website
EIA-851A	January 2	March 1	Annual	<i>Domestic Uranium Production Report - Annual</i> http://www.eia.gov/uranium/production/annual/	May
EIA-851Q	January 2; April 1; July 1; October 1	January 15; April 15; July 15; October 15	Quarterly	<i>Domestic Uranium Production Report - Quarterly</i> http://www.eia.gov/uranium/production/quarterly/	February; May; August; November
EIA-858	January 2	March 1	Annual	<i>Uranium Marketing Annual Report</i> http://www.eia.gov/uranium/marketing/	May

A.17. OMB Number and Expiration Date

The OMB number (1905-0160) and expiration date (12/31/2015) will be displayed on all EIA UDP forms and instructions.

A.18. Certification Statement

This submission meets all certification requirements of the "Certification for Paperwork Reduction Act Submissions," for OMB Form 83-I.

Appendix 1: Summary of Comments Received in Response to the Open *Federal Register* Notice (Vol. 77, No. 58) Published March 26, 2012

On March 26, 2012, a request for comments from interested persons was solicited in the *Federal Register* Notice that EIA intends to extend for three years the UDP surveys: Form EIA-851A, Form EIA-851Q, and Form EIA-858. For Form EIA-851Q, EIA purposes to collect supervisor information in addition to the responding company, the parent company, and the contact/preparer information. The name of the supervisor is routinely collected on other EIA surveys to provide a contact point in the event of non-response problems. For Form EIA-851A, EIA proposes two minor changes to clarify the instructions for Item 8, Reserve (Reasonably Assured Resource) Estimate. For Form EIA-858, EIA proposes a change to clarify the instructions for Item 5, Uranium Feed Deliveries to U.S. and Foreign Enrichers in the Survey Year. These changes are:

- Form EIA-851A, Item 8 instructions:
 - State – Enter the ~~two-letter U.S. Postal Service abbreviation for the~~ State of the property.
 - Reserve (Reasonably Assured Resource) Estimates by Forward Cost Categories – Enter the reserve (~~reasonably assured resource~~) quantities for ~~ore, grade, and pounds U₃O₈~~ by cost categories. For reporting purposes, EIA considers reserves and reasonably assured resources to be functionally equivalent. ~~Do not report inferred resources.~~
- Form EIA-858, Item 5 instructions:
 - **Item 5. Uranium Feed Deliveries to U.S. and Foreign Enrichers in the Survey Year:** Enter the country origins and associated quantity of uranium feed shipped to enrichment plants, indicating each country where enrichment plant is located. ~~Do not include deliveries placed in your usage agreement account that are not intended for withdrawal until in the next calendar year or later. Withdrawals of enriched uranium from your usage agreement account in the Survey Year, however, should be included as appropriate in your response(s).~~

In total, two comments were received. Both are from Southern Nuclear Operating Company, included as supplementary documents.

Regarding the March 28, 2012 comment, EIA followed up with a phone call to Don C. Hagan and explained that the way he completes Form EIA-858, Item 5 has not changed based on the proposed removal of this sentence in the instructions:

“Do not include deliveries placed in your usage agreement account that are not intended for withdrawal until in the next calendar year or later. Withdrawals of enriched uranium from your

usage agreement account in the Survey Year, however, should be included as appropriate in your response(s).”

Regarding the May 25, 2012 comment, EIA’s agrees with the comment and updated the UDP forms and instructions with the text used by EIA for the CIPSEA confidentiality pledge:

“The information you provide will be used for statistical purposes only. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A of Public Law 107-347 and other applicable Federal laws, your responses will be kept confidential and will not be disclosed in identifiable form to anyone other than employees or agents without your consent. By law, every EIA employee, as well as every agent, is subject to a jail term, a fine of up to \$250,000, or both if he or she discloses ANY identifiable information about you.”