

1FINAL SUPPORTING STATEMENT FOR 10 CFR PART 50

“DOMESTIC LICENSING OF PRODUCTION  
AND UTILIZATION FACILITIES”

(OMB CLEARANCE NO. 3150-0011)

*Extension Request with Revised Burden Estimate*

GENERAL\* DESCRIPTION OF THE INFORMATION COLLECTION

The regulations in 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities,” are promulgated by the U.S. Nuclear Regulatory Commission (NRC) pursuant to the Atomic Energy Act of 1954, as amended (the Act), to provide for the licensing and regulation of production and utilization facilities. They contain the reporting, recordkeeping and application requirements that are generally applied in the NRC’s licensing and regulatory processes. Specific requirements for each licensee are contained in documents called “Technical Specifications” that are issued for every utilization facility licensed to operate. (See 10 CFR 50.36 and Section 2 of this submittal.) Guidance on acceptable means of complying with 10 CFR 50 is provided through publications called NRC “Regulatory Guides.” These guides often cite standards and other requirements established by national standards bodies such as the American National Standards Institute (ANSI) and the American Society of Mechanical Engineers (ASME).

The provisions encompassed within 10 CFR 50 affect various types of facilities, including nuclear power plants and non-power reactors (research and test reactors), at various stages in the licensing process, including application, construction, operation, amendment, suspension, renewal and shutdown. Therefore, the number of respondents actually affected by each requirement varies depending on the number of licensing requests initiated and/or completed and the number of regulatory reports required by operating events and/or conditions.

Reporting requirements are directed toward licensees or applicants. However, reporting requirements may not be reactor specific, but they may be of a type that applies to a site which is occupied by one or more reactors that have different licenses. Other requirements may be utility specific and, thus, refer to several reactors at more than one site. These considerations may cause apparent conflicts in the use of the terms: licensees, reactor sites, facilities, or plants in our individual estimates of burden.

It is important to note that 10 CFR 50 is related to 10 CFR 52, “Early Site Permits (ESPs); Standard Design Certifications (SDCs); and Combined Operating Licenses (COLs) for Nuclear Power Plants” (3150 - 0151). 10 CFR 52 provides a means for an applicant for a nuclear power facility to obtain a combined construction permit and operating license, independent of the two-step process contained in 10 CFR 50. Up to 1 application each for these ESPs and SDCs are projected during the clearance period. In order to not duplicate regulations, 10 CFR 52

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\*\*Specific discussions pertinent to the various sections of 10 CFR 50 are included in Sections 1-35 enclosed with this transmittal portion of the 10 CFR 50 Supporting Statement.

references the applicable provisions of 10 CFR 50. The burden associated with 10 CFR 50 provisions contained in 10 CFR 52 is included in this submittal and is excluded from the 10 CFR 52 submittal.

For estimating purposes, NRC has assumed the following annual average number of respondents during the clearance period for calendar year 2014.

- 104 - Operating Power Reactors
- 29 - Power Reactor Licensees
- 65 - Power Reactor Sites
- 13 - Power Reactors Being Decommissioned
- 31 - Licensed Non-Power Research & Test Reactors
  - 1 – Standard Design Certification Application
  - 1 – Early Site Permit Application
  - 1 – Non-Power Reactor Operating License Application

#### Recordkeeping Requirements

The recordkeeping requirements mandated by 10 CFR Part 50 are of two broad types. The first type is the simple filing of copies of reports, letters, and other written documentation that already exist because of a reporting requirement found elsewhere in the regulations or in the license and technical specifications. The second type of recordkeeping is the generation, updating and filing of records because the information in the records may need to be referred to for assessments or subsequent evaluation of occurrences at the facility.

The large volume of records which are kept for 10 CFR Part 50 is required primarily by the technical specifications, the quality assurance program, reports of changes specified in 10 CFR 50.59(b), environmental qualification of equipment, decommissioning, monitoring the effectiveness of maintenance at nuclear power plants, training and qualification of plant personnel, for highly enriched uranium, and for primary reactor containment leakage testing.

Thus, a specific recordkeeping burden has been calculated for each of these technical areas. For all other technical areas, the recordkeeping burden is estimated to be 10 percent of the total burden (recordkeeping plus reporting).

#### Records Retention Periods

The NRC's codified recordkeeping rule establishes four basic retention periods for all records that must be retained to meet the recordkeeping requirements the NRC imposes on its licensees and applicants. All proposed rules containing recordkeeping requirements must specify one of these four standardized retention periods. Further, the agency has established a policy that all information collection requirements imposed upon licensees and applicants must be contained in its regulations. Therefore, the NRC's technical, licensing, generic requirements, and information management staffs carefully scrutinize guidance documents to identify information collections that are being imposed on applicants and licensees to determine if they are mandatory or voluntary and if they are necessary. Where appropriate, procedures are implemented to ensure that the information required to be submitted or retained is clear to the licensees and applicants.

#### Additional Requirements

This submittal incorporates all finalized information collection requirements contained in 10 CFR 50 that have been approved by OMB since our last extension request for 10 CFR Part 50 dated August 31, 2010. These rulemakings are itemized below and the information collections are described in detail in the applicable supporting statements.

#### Final Amended Rule

- # 10 CFR 50.47, 50.54 and 10 CFR Part 50, Appendix E, Enhancements to Emergency Preparedness Regulations
- # 10 CFR 50.55a, American Society of Mechanical Engineers (ASME) Codes and New and Revised ASME Code Cases
- # 10 CFR 50.55a, Incorporation by Reference of Regulatory Guide 1.84, Rev 35; and Regulatory Guide 1.147, Rev 16, ASME BPV Codes
- # 10 CFR 50.61 and 50.61a, Alternate Fracture Toughness Requirements for Protection Against Pressurized Thermal Shock Events

This submittal does not address the information collection requirements specified in 10 CFR 50.73, "Licensee Event Reporting System." The burden associated with this regulation is encompassed within OMB Clearance No. 3150-0104, NRC Forms 366, 366A, and 366B, Licensee Event Report.

In submitting this request for approval of a revision to the OMB clearance for 10 CFR 50, the NRC realizes its importance and complexity are such that our staff must work closely with yours. Ms. Tremaine Donnell (301-415-6258), NRC Clearance Officer, is available to arrange for the participation of any NRC staff or legal representative if needed by OMB.

#### A. JUSTIFICATION

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

Pursuant to the Atomic Energy Act of 1954, as amended, NRC has the responsibility and authority for licensing and regulating nuclear power plants, non-power reactors (research and test facilities), fuel reprocessing plants and other utilization and production facilities. This review responsibility also encompasses applications for approval of design certifications. Information provided by the applicant as part of the application is crucial to the licensing process as it provides the NRC with the information it needs to make a decision with regard to the proposed plant's impact on the health and safety of the public. Once a facility is licensed, the NRC continues to regulate its licensed activities. Licensees must comply with the reporting and recordkeeping requirements in 10 CFR Part 50 so that the NRC will have the information it needs to ensure that licensed activities are being conducted without endangering the health and safety of the public. Detailed information required by the NRC to be included in each application for a construction permit, operating license, combined operating license, or required to monitor and ensure safe operation is addressed in the following Supporting Statements specific to the 10 CFR Part 50 Sections (see Enclosure 2).

## 2. Agency Use of Information

The NRC conducts a detailed review of all applications for licenses to construct and operate utilization and production facilities, in addition to applications for approval of design certifications. The purpose of the detailed review is to ensure that the proposed facilities can be built and operated safely at the proposed locations, and that all structures, systems, and components important to safety will be designed to withstand the effects of postulated accident conditions without undue risk to the health and safety of the public. A detailed review of operating reports and records continues during the lifetime of the licensed plant until it is decommissioned and its license terminated. Applicants and licensees are required by the Act to provide such technical information and data that the NRC may determine necessary to ensure the public health and safety.

Part 50 affects various types of facilities at various stages in the licensing process. The requested information is reviewed and acted upon consistent with the governing NRC regulation or the Act, whichever is appropriate. For example, when a submittal can be completed without adjudication, the collected information can usually be acted upon within 1 to 6 months. However, submittals which result in litigation may not be completed for 2 years or more.

## 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 issued a regulation on October 10, 2003 (68 FR 58791), consistent with the Government Paperwork Elimination Act, which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, special Web-based interface or other electronic means. It is estimated that 89 percent of the submissions will be filed electronically.

## 4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

## 5. Effort to Reduce Small Business Burden

Certain provisions of 10 CFR 50 affect non-power reactors (critical facilities and research and test reactors) operated by colleges and universities and non-power reactors being decommissioned or with "possession only" licenses. However, most of the provisions affect only nuclear power plant licensees and applicants. This item is addressed in each Supporting Statement enclosed as Sections 1 through 35 (Enclosure 2).

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

See each section (Enclosure 2) for information specific to the consequences to the Federal program if the collection is not conducted or is conducted less frequently.

7. Circumstances which Justify Variation from OMB Guidelines

See each section (Enclosure 2) for information specific to any variance from OMB's guidelines.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the Federal Register on May 14, 2013 (78 FR 28244). The NRC consulted with fewer than nine members of the public concerning the proposed collection of information. No comments were received.

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

The provisions of 10 CFR 50 regulations generally do not require sensitive information. However, personally identifiable information (e.g., telephone numbers) provided in Emergency Plans is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.790(b).

12. Estimate of Industry Burden and Burden Hour Cost\*

Below is a summary burden table by section.

10 CFR Part 50 (3150-0011) Summary Burden Table

Section	Annual Reporting Burden	Annual Recordkeeping Burden	Total Burden	Total Cost	Annual Cost to Federal Government
1	431,816.5	45,971.5	477,788	\$130,913,912	\$29,161,954
2	152,815	221,800	374,615	\$102,644,510	\$586,086

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\*\*Items 12, 13 and 14 are covered in the section-specific statements (see Enclosure 2, Sections 1 through 35).

3	2,706	9,916	12,622	\$3,458,428	\$397,026
4	2,436		2,436	\$667,464	\$667,464
5				\$0.00	\$0.00
6	677	107	784	\$214,816	\$164,400
7	6,025	670	6,695	\$1,834,430	\$785,394
8	139,050	147,388	286,438	\$78,484,012	\$1,553,580
9		36,832	36,832	\$10,091,968	\$14,331,296
10		219,493.2	219,493.2	\$60,141,137	\$0.00
11				\$0.00	\$0.00
12	256		256	\$70,144	\$4,384
13				\$0.00	\$0.00
14	400	50	450	\$123,300	\$68,500
15	20,773	1,125,000	1,145,773	\$313,941,802	\$11,607,736
16	71,889	254,508	326,397	\$89,432,778	\$87,680
17	49,500	5	49,505	\$13,564,370	\$3,485,280
18	3,960	440	4,400	\$1,205,600	\$671,300
19	288	2,595	2,883	\$789,942	\$79,460
20				\$0.00	\$0.00
21				\$0.00	\$0.00
22	1,100		1,100	\$301,400	\$204,952
23		448,391	448,391	\$122,859,134	\$9,250,788
24				\$0.00	\$0.00
25				\$0.00	\$0.00
26	125	14	139	\$38,086	\$38,086
27	63,675	7,075	70,750	\$19,385,500	\$192,896
28	3,826	75	3,901	\$1,068,874	\$9,957,462
29	947	105	1,052	\$288,248	\$333,184
30		55,020	55,020	\$15,075,480	\$0.00
31		6,240	6,240	\$1,709,760	\$0.00
32	675,000	75,000	750,000	\$205,500,000	\$1,028,000
33	10,800	76,090	86,890	\$23,807,860	\$2,766,852
34	10,414		10,414	\$2,853,436	\$0.00
35	200	689	889	\$243,586	\$54,800
Totals	1,648,678.5	2,733,474.7	4,382,153.2	\$1,200,709,977	\$87,478,560

13. Estimate of Other Additional Costs\*

14. Estimated Annualized Cost to the Federal Government\*

The estimated annualized cost to the Federal government is outlined in the summary burden table for Item 12. The overall annual cost to the Federal government is \$87,478,560.

## 15. Reasons for Changes in Burden or Cost

The reasons for the estimated burden changes (reflecting an overall burden decrease for 10 CFR Part 50 from 4,474,282 hours to 4,382,153 hours) is due in large part to the expected number of license amendment requests as a result of the issuance of the combined operating license for Vogtle in February and V.C. Summer in March, 2012. Thus, as a result of the issuance of these two COLs, the agency is expecting license amendments during this clearance cycle from the Vogtle and V.C. Summer licensees related to construction of the AP1000. The number of license amendments the NRC anticipates receiving is based on discussions with licensees. Additionally, the changes are covered in the section-specific statements (Enclosure 2, Sections 1 through 35).

Below are additional reasons for the burden changes by section:

Section 1, the burden decreased by 8,205 hours because industry submittals of combined license application estimates was reduced by 3,000 hours due primarily to the number of new reactor applications expected from industry during this clearance period. During the previous cycle, NRC anticipated receiving 3 COL applications, but none are expected for this cycle. Additionally, there is a reduction in the number of early site permits (-268 hrs.), non-power operating licenses request (-990 hrs.), anticipated request for license amendments (-3,814 hrs.) and request for license transfers (-1,600 hrs.). Further, no construction permit applications for a power or non-power reactor are anticipated, thereby reducing the possibility for a limited work authorization (-6,333 hrs.).

Section 2, the burden decreased by 360 hours because of a reduction in the number of plants required to submit reports. The number of RTRs submitting reports decreased from 32 to 31, the number of shutdown power reactors and RTRs submitting report remained the same.

Section 6, the burden increase by 544 hours because the number of expected applications increased from 3 during the last clearance cycle to 10 applications in this clearance cycle.

Section 7, the burden increased by 1,040 hours because of an increase in responses from the previous clearance period due to the staff accounting for 30-day reports. In the previous renewal zero reports were estimated, and now there are 52, 30-day reports. 10 CFR 50.46(a)(3)(ii) requires that for each change to, or error discovered in, an acceptable evaluation model or in the application of such a model that affects the temperature calculation, the applicant or licensee shall report the nature of the change or error and its estimated effect on the limiting ECCS analysis, to the Commission at least annually.

Section 8, the burden increased by 12,810 hours because of changes to NRC emergency preparedness regulations affecting Part 50 licensees that was codified in a final rule published November 23, 2011 (76 FR 72560) and became effective December 23, 2011. This final rule resulted in additional reporting and recordkeeping

requirements which are necessary to help ensure that an adequate level of emergency preparedness is maintained by these licensees.

Section 9, the burden decreased by 12,800 hours because of a reduction in the number of transition records and maintenance records. The ultimate expectation is that approximately 60 nuclear units will adopt NFPA 805 and the need to maintain performance-based fire protection programs pursuant to 10 CFR 50.49 ( c).

Section 10, the burden increased by 3,173 hours because 4 COLS incurred burden associated with one-time recordkeeping requirements under 10 CFR 50.49. These COLs will be establishing programs for qualifying the electric equipment important to safety as defined in 10 CFR 50.49.

Section 11, the burden decreased by 6,500 hours because 1 non-power reactor was decommissioned and the license was terminated. In addition, there was a decrease in the number of expected responses by 65 from 96 to 31 responses. Staff reduced the number of expected responses for non-power licensees from possibly responding to 1 bulletin, or possibly 1 generic letter not both or possibly more than 1 generic letter.

Section 14, the burden increased by 418 hours primarily because of the current number of plants that are in the construction phase. In the previous clearance cycle, NRC estimated zero reports under 50.55 ( e) because no plants were in the construction phase. Due to changes in the plants status, it is expected that one report per plant under construction will be received during this clearance cycle.

Section 15, the burden increased by 52,133 hours because of an increase in the number of new reactor applications expected during this clearance cycle. For this clearance cycle NRC anticipates receiving 5 new reactor applications. This will add 800 hours for reporting changes, 1,333 hours annually per applications, and 50,000 hours in recordkeeping.

Section 23, the burden decreased by 256 hours because 2 plants had completed decommissioning, and their licenses were terminated and the facility no longer falls under NRC regulatory purview.

Section 25, the burden decreased by 6,660 hours to correct a burden increase inadvertently misstated as 10,280 hrs. and should have been 3,720 hours and a reduction of 100 hours for the termination of 1 non-power reactor license.

Section 29, the burden decreased by 816 hours because of technological improvements to ERDS system and improvements to the process governing periodic testing.

Section 33, the burden decreased by 3,210 hours because of a reduction in the number of expected submittals under 50.69(g), which is down from 1 to .333.

Section 35, the burden decreased by 2,380 hours because of a reduction in the number of expected submittals under 50.69(g). Because licensees are choosing to

implement the requirements in this section in lieu of the requirement in other current sections, the burden for these actions will be reduced with the expected submittals and decrease in recordkeeping hours.

16. Publication for Statistical Use

The collected information is not published for statistical purposes.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

Enclosures:

1. Table - Summary of Supporting Statements
2. Supporting Statements (Parts 1-35)