

DRAFT 1SUPPORTING STATEMENT FOR
INFORMATION COLLECTIONS CONTAINED IN
RISK INFORMED, TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR
ADVANCED REACTORS
PROPOSED RULE

NRC FORM 361, "REACTOR PLANT EVENT NOTIFICATION WORKSHEET,"
NRC FORM 361A, "FUEL CYCLE AND MATERIALS EVENT NOTIFICATION WORKSHEET,"
NRC FORM 361N, "NON-POWER REACTOR EVENT NOTIFICATION WORKSHEET," AND
NRC FORM 361S, "PART 53 LICENSEE EVENT NOTIFICATION WORKSHEET"

(3150-0238)

REVISION

Description of the Information Collection

The U.S. Nuclear Regulatory Commission (NRC) is proposing to establish an optional technology-inclusive regulatory framework for use by applicants for new commercial nuclear plant designs. The regulatory requirements developed in this rulemaking would use methods of evaluation, including risk-informed and performance-based methods, that are flexible and practicable for application to a variety of new reactor technologies. The NRC's goals in amending these regulations are to continue to provide reasonable assurance of adequate protection of public health and safety and the common defense and security at reactor sites at which new nuclear reactor designs are deployed to at least the same degree of protection as required for current-generation light-water reactors; protect health and minimize danger to life or property to at least the same degree of protection as required for current-generation light-water reactors; provide greater operational flexibilities where supported by enhanced margins of safety that may be provided in new nuclear designs; and promote regulatory stability, predictability, and clarity.

The proposed rule covers a wide range of topics, including the following that would result in recordkeeping and reporting requirements:

- Fitness for duty,
- Physical security,
- Cybersecurity,
- Access authorization.
- Plant design and analysis,
- Siting,
- Construction and manufacturing,
- Facility operations,
- Programs,
- Staffing,
- Decommissioning,
- Applications,
- Licensing basis information, and
- Quality assurance.

A holder of an operating license or a combined license (after the Commission has made the finding under proposed 10 CFR 53.1452(g)) under 10 CFR Part 53 would be required by proposed 10 CFR 53.1630, "Immediate notification requirements for operating commercial nuclear plants," to notify the NRC Operations Center via the Emergency Notification System of the specified events. Form 361S is a voluntary form that could be used to satisfy such requirement. The information requested on the form would include time of event, name of the facility, plant conditions at the onset of the events, detailed event descriptions, actions taken or planned, and status of the affected facilities.

Currently, holders of operating licenses for commercial nuclear power plants are required to report specified events per 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," and other requirements (10 CFR 20, 21, 26, 73, and 74) to the NRC Operations Center via telephone. Holders of NRC Fuel Cycle Facility and Materials licenses are required to report specified events per 10 CFR 40.60, "Reporting Requirements," 10 CFR 70.50, "Reporting Requirements," or 10 CFR 72.75, "Reporting requirements for specific events and conditions," and other requirements (10 CFR 20, 21, 26, 30, 35, 36, 37, 73, and 74) to the NRC Operations Center via telephone. Holders of NRC Non-Power Reactor licenses are required to report specified events per their respective Technical Specifications and other requirements (10 CFR 73 and 74) to the NRC Operations Center.

NRC Form 361, "Reactor Plant Event Notification Worksheet"; NRC Form 361A, "Fuel Cycle and Materials Event Notification Worksheet"; and NRC Form 361N, "Non-Power Reactor Event Notification Worksheet" are currently used to transmit detailed information to the NRC by a licensee to report specified events and facilitate easier communication between the NRC and licensees during event notifications. The use of these forms is voluntary, but the forms provide the usual order of questions and discussion to enable a licensee to prepare answers for a more clear and complete telephonic notification.

As a result of the Part 53 rulemaking, a fourth form, NRC Form 361S, would be created specifically for Part 53 licensees. The form would cover an equivalent scope as the requirements in 10 CFR 50.72, but some requirements would be modified to remove light-water-reactor-specific terminology and to ensure technology-inclusiveness.

This supporting statement describes how the proposed rule would impact the information collections in NRC Forms 361, 361A, 361N, and 361S (3150-0238). The supporting statements describing recordkeeping and reporting requirements in 10 CFR Part 53 (3150-XXXX), 10 CFR Part 73 (3150-0002), NRC Forms 366, 366A, and 366B (3150-0104), and NRC Forms 893 and 894 (3150-XXXX) have been submitted under the respective clearances. Burden associated with 10 CFR Part 26 (3150-0146) and 10 CFR Part 50 (3150-0011) has been submitted under new clearances due to the recent submission of the Part 26 and Part 50 renewals.

A. JUSTIFICATION

1. Need for the Collection of Information

The NRC licenses and regulates the Nation's civilian use of radioactive materials to provide reasonable assurance of adequate protection of public health and

safety, promote the common defense and security, and protect the environment. In order for the NRC to carry out these responsibilities, its regulations require licensees to report significant events so that the NRC can evaluate the events to determine what actions, if any, are warranted to ensure protection of public health and safety. In addition, this information is needed for the NRC to carry out its responsibility to inform Congress of those events constituting "abnormal occurrences."

The requirements in proposed 10 CFR 53.1630 would require commercial nuclear plants licensed under 10 CFR Part 53 to report certain reactor events and emergencies that have potential impact to public health and safety. In order to efficiently process the information received through such reports, the NRC developed Form 361S as a vehicle to record the information in a templated fashion. Without the templated format of NRC Form 361S, the information exchange between licensees and NRC Headquarters Operations Officers via telephone could result in delays due to excessive follow on questions for additional details, repeat-backs for confirmation, as well as unnecessary transposition errors.

2. Agency Use of Information

The NRC staff uses the information reported using this form for responding to emergencies, monitoring ongoing events, confirming licensing bases, studying potentially generic safety problems, assessing trends and patterns of operational experience, monitoring performance, identifying precursors of more significant events, and providing operational experience to the industry.

3. Reduction of Burden Through Information Technology

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. Electronic transmission and submittal of documents can be accomplished via the following avenues: the Electronic Information Exchange (EIE) process, which is available from the NRC's "Electronic Submittals" Web page; by Optical Storage Media (OSM) (e.g., CD-ROM, DVD); by facsimile; or by e-mail.

The information collections related to the requirement to make an initial event report telephonically are covered under OMB Clearance Number 3150-0011. NRC Form 361S provides a tool that allows licensees to relay by phone specific details in a templated and sequenced fashion to minimize follow up questions for additional details and repeat-backs for confirmation. The form also provides a template for licensee's follow-on event reports, if required, to be written in a manner consistent with their event reporting procedures.

It is estimated that approximately 97% of Part 53 licensees would use the format of NRC Form 361 to prepare their event report notification, and these licensees

would also typically follow telephonic notifications with electronic confirmation via email or facsimile.

4. Efforts 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 NRC is currently not aware of any known small entities as defined in 10 CFR 2.810 that are planning to apply for a commercial nuclear plant early site permit, construction permit, operating license, manufacturing license, or combined license under Part 53 that would be impacted by this proposed rule.

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

Not collecting the information, or collecting it less frequently, would degrade the NRC's ability to determine in a timely manner what actions, if any, may be needed to resolve potential threats to public health and safety or the environment and inform Congress of those events constituting "abnormal occurrences."

7. Circumstances Which Justify Variation from OMB Guidelines

Not applicable

8. Consultations Outside the NRC.

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). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

No sensitive information is requested.

12. Estimated Burden and Burden Hour Cost

The proposed rule has reporting requirements for commercial nuclear plants licensed under 10 CFR Part 53, which are equivalent to the existing requirements in 10 CFR 50.72. The Part 53 reporting requirements under 10 CFR 53.1630 cover an equivalent scope as the existing requirements in 10 CFR 50.72, but with some changes in terminology to ensure technology-inclusiveness. The information collected in the new voluntary NRC Form 361S for Part 53 licensees is similar to the existing NRC Form 361 with the same estimated burden per response (30 minutes). As there are no existing Part 53 licensed facilities, the NRC staff does not anticipate any responses during this period. Therefore, there is no burden increase for this period due to this proposed rule.

13. Estimate of other Additional costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The estimated annualized cost to the Federal Government for this form remains unchanged at \$72,000 as a result of the proposed rule.

The burden associated with processing each event report by the NRC Headquarters Operations Officers is reduced by the licensee's voluntary use of the NRC Forms 361 format to provide event descriptions via telephonic notification. Without the use of the NRC Form 361 event description information, the Headquarters Operations Officers would be required to take slower notes of the event description, keeping the licensee on the phone longer, and rely on use of telephonic notification audio recordings to transcribe the detailed event description information into the HOO database for processing and distribution. It is estimated that the use of the NRC Forms 361 saves the NRC Headquarters Operations Officers approximately 0.5 hours of processing time per report, requiring 0.5 hours to process rather than 1 hour per report. Though no reports are expected to be made by Part 53 licensees during the clearance period, the time for NRC staff to process reports for Part 53 licensees on NRC Form 361S is anticipated to be the same (0.5 hour) as the time to process events on the existing NRC Form 361.

15. Reasons for Change in Burden or Cost

As a result of the proposed rule, NRC Form 361S has been created for voluntary use by Part 53 licensees; however, for this clearance period, there is no change in burden or costs because there are no Part 53 facilities expected to be in operation during the clearance period.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed.

18. Exceptions to the Certification Statement

Not applicable.

B. Collection of Information Employing Statistical Methods

The collection of information does not employ statistical methods.

DESCRIPTION OF INFORMATION COLLECTION REQUIREMENTS
CONTAINED IN

NRC FORM 361, "REACTOR PLANT EVENT NOTIFICATION WORKSHEET,"
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WORKSHEET," NRC FORM 361N, "NON-POWER REACTOR EVENT NOTIFICATION
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NRC Form 361S, "Part 53 Licensee Event Notification Worksheet," would be a voluntary form that could be used to satisfy the information collection requirements of proposed 10 CFR 53.1630. Proposed 10 CFR 53.1630 would require the holder of an operating license or a combined license under 10 CFR Part 53 to notify the NRC Operations Center via the Emergency Notification System of a declaration of any of the Emergency Classes specified in the licensee's approved Emergency Plan, or non-emergency events specified in 10 CFR 53.1630(b), that occurred within 3 years of the date of discovery. The information requested on the form would include time of event, name of the facility, plant conditions at the onset of the events, detailed event descriptions, actions taken or planned, and status of the affected facilities. NRC Form 361S will be created specifically for Part 53 licensees as a result of the Part 53 rulemaking, and the form would cover an equivalent scope as the requirements in 10 CFR 50.72. However, the requirements of 10 CFR 53.1630 would be modified to remove light-water-reactor-specific terminology and to ensure technology-inclusiveness as this would be consistent with requirements for Part 53 licensees.