

DRAFT SUPPORTING STATEMENT
FOR 10 CFR PART 73
POWER REACTOR SECURITY REQUIREMENTS
PROPOSED RULE

Description of the Information Collection

The U.S. Nuclear Regulatory Commission (NRC) regulations in 10 CFR 73.55, § 73.56, §73.71, 10 CFR Part 73 appendix B, 10 CFR Part 73 appendix C, and 10 CFR Part 73 appendix G prescribe requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage. The regulations are issued pursuant to the Atomic Energy Act of 1954, as amended, and Title II of the Energy Reorganization Act of 1974, as amended. Part 73 contains reporting and recordkeeping requirements which are necessary to help ensure that an adequate level of protection is provided for nuclear power reactor licensees. This clearance revision incorporates changes in information collections contained in the proposed rule, "Power Reactor Security Requirements." Specifically, the proposed rule results in changes to numerous requirements in §§ 73.55, 73.56, 73.71, 10 CFR Part 73 appendix B, 10 CFR Part 73 appendix C, and 10 CFR Part 73 appendix G. In addition, the proposed rulemaking adds three new sections to Part 73, specifically §§ 73.18, 73.19, and 73.58. With regard to §§ 73.18 and 73.19, these are the only portions of the proposed rule where the scope extends beyond power reactors to include facilities authorized to possess formula quantities of strategic special nuclear material.

The majority of the proposed changes result from revisions to the security requirements to reflect the Commission security orders issued on February 25, 2002 (Interim Compensatory Measures for Power Reactor Facilities), January 7, 2003 (Access Authorization), April 29, 2003, (Revised Design Basis Threat) and April 29, 2003, (Training). The orders and proposed rule were developed and issued in response to the September 11, 2001, terrorist attacks in New York and Washington, D.C. Another source for new requirements incorporated into this proposed rulemaking is the Energy Policy Act of 2005 (EPAAct 2005) signed into law on August 8, 2005. EPAAct 2005 contains several provisions that impact nuclear power plant security. Specifically, Section 652 of the act expanded the scope of personnel and licensee types subject to fingerprinting and criminal history background checks, and Section 653 enabled the NRC to authorize (not require) the use of automatic weapons, corresponding ammunition, and large capacity ammunition feeding devices. This authorization may be granted based on information licensees provide to NRC regarding their security personnel. The provisions are incorporated into proposed §§ 73.18 and 73.19.

The 104 operating nuclear power reactors that would be affected by this rulemaking are located at 65 sites, with each facility consisting of one or more reactor units. In general, security is addressed in a site-specific manner because it is dependent on the physical layout of the entire site. As a result, this supporting statement

estimates the burden associated with reporting and recordkeeping based on 65 sites. The proposed requirements in §§ 73.18 and 73.19 of the rulemaking, however, apply to two classes of Commission-regulated facilities: all current power reactors (65 sites) and current fuel cycle facilities authorized to possess Category I strategic special nuclear material (SSNM) (two sites). Therefore, the burdens associated with reporting and recordkeeping for these sections of the proposed rule are based on 67 sites. Finally, the burden estimate for § 73.56 assumes 68 recordkeepers, consisting of the 65 power reactor sites plus 3 contractor/vendors (C/Vs).

A. JUSTIFICATION

1. Need for and Practical Utility of the Information

In general, the reports and records are necessary for one or more of the following reasons:

- a) Information describing the content and planned operation of the licensee's physical protection system (e.g., Security Plan, Contingency Plan, or Training and Qualification Plan). This information is essential to enable the NRC to make a determination as to the adequacy of the licensee's program to meet regulatory requirements.
- b) Information describing the normal operation of the physical protection system (e.g., performance evaluation program, equipment performance logs). This information is needed to permit the NRC to make a determination as to reasonable assurance that the physical protection system operates in accordance with the regulatory requirements.
- c) Information notifying the NRC of the occurrence of and circumstances surrounding abnormal events (e.g., report of theft, sabotage, or overdue shipment). This information is needed to enable the NRC to fulfill its responsibilities to respond to, investigate, and correct situations which adversely affect public health and safety or the common defense and security.
- d) Information provided to the NRC on the identity of security personnel assigned armed duties to determine that these individuals are not prohibited from receiving, possessing, transporting, importing, or using enhanced weapons (e.g., machineguns). This information is needed to enable the NRC to implement the mandate of §161A. of the Atomic Energy Act (AEA) to verify that security personnel who will have access to enhanced weapons have been subject to a background check by the Attorney General, based on fingerprints and including a background check under §103(b) of the Brady Handgun Violence Prevention Act, Pub. L. 103-159.

Specific requirements for reports and records in the proposed amendments to Part 73 are identified below.

Section 73.18(b)(1) requires licensees and certificate holders who have received NRC approval of their application for preemption authority must satisfactorily complete firearms background checks for all security personnel requiring access to covered weapons as part of their official security duties. In addition, security personnel who have satisfactorily completed a firearms background check, but who have had a break in employment with the licensee, certificate holder, or their security contractor of greater than one (1) week subsequent to their most recent firearms background check, or who have transferred from a different licensee or certificate holder (even though the other licensee or certificate holder satisfactorily completed a firearms background check on such individuals), must also meet the firearms background check requirements.

Section 73.18(d)(1) requires firearms background checks on security personnel to include a check of an individual's fingerprints against the Federal Bureau of Investigation's (FBI's) fingerprint system.

Section 73.18(d)(2) requires firearms background checks on security personnel to include a check of the individual's identifying information against the FBI's National Instant Criminal Background Check System (NICS).

Section 73.18(e)(1) requires that licensees and certificate holders submit a set of fingerprints and a completed NRC Form 754 to the NRC for all security personnel requiring a background check. The burden associated with this proposed requirement is cleared under NRC Form 754, OMB Clearance No. 3150-xxxx (addressed separately in the supporting statement for NRC Form 754).

Section 73.18(e)(2) requires licensees and certificate holders to retain a copy of all NRC Forms 754 submitted to the NRC for one year subsequent to the termination of an individual's access to covered weapons or to the denial of an individual's access to covered weapons. The burden associated with this proposed requirement is cleared under NRC Form 754, OMB Clearance No. 3150-xxxx (addressed separately in the supporting statement for NRC Form 754).

Section 73.18(f) requires licensees and certificate holders to forward the results of the NICS check to the individuals who completed the NRC Forms 754. The burden is cleared under NRC Form 754, OMB Clearance No. 3150-xxxx (addressed separately in the supporting statement for NRC Form 754).

Section 73.18(h) requires licensees and certificate holders who have received NRC approval of their application for § 73.19 authority to remove security personnel from duties requiring access to covered weapons upon the licensee's or certificate holder's knowledge of any disqualifying status or the occurrence of any disqualifying events (defined in 18 U.S.C. 922(g) or (n) and the ATF's implementing regulations in 27 CFR part 478).

Section 73.18(j) requires security personnel who are assigned duties requiring access to covered weapons to notify their employing licensee or certificate holder within three working days of the existence of any disqualifying status or upon the occurrence of any disqualifying events (defined in 18 U.S.C. 922(g) or (n) and the ATF's implementing regulations in 27 CFR part 478).

Section 73.18(k) requires licensees and certificate holders who received NRC approval of § 73.19 authority to include instructions in their NRC-approved security training and qualifications plan on disqualifying status or events (defined in 18 U.S.C. 922(g) or (n)), the ATF's implementing regulations in 27 CFR part 478 identifying categories of persons who are prohibited from possessing or receiving any covered weapons, and the continuing responsibility of security personnel to promptly notify their employing licensee or certificate holder of any disqualifying events.

Section 73.18(m) requires licensees and certificate holders, within 72 hours after taking action, to notify the NRC of security personnel who have been permanently removed from armed duties, because of the existence of any disqualifying status or the occurrence of any disqualifying event other than those described in § 73.18(j).

Section 73.18(o)(1) requires licensees and certificate holders to submit to the NRC's Division of Facilities and Security one completed, legible standard fingerprint card for each individual requiring a firearms background check. Licensees and certificate holders must notify each individual submitting fingerprints regarding the results of their fingerprint check.

Section 73.18(o)(2) requires licensees and certificate holders to indicate on the fingerprint card or other fingerprint record that the purpose for this fingerprint check is the accomplishment of a firearms background check.

Section 73.18(o)(3) requires licensees and certificate holders to establish procedures to minimize the rejection rate of fingerprint cards due to poor quality and illegible or incomplete information.

Section 73.18(o)(4) requires licensees and certificate holders to re-submit fingerprint cards that contain omissions or evident errors.

Section 73.18(o)(5)(i) requires licensees and certificate holders to submit payment with the application for the processing of fingerprints, and payment must be made by corporate check, certified check, cashier's check, money order, or electronic payment.

Section 73.18(o)(6) states that the NRC will forward all data received from the FBI to the licensee or certificate holder.

Section 73.18(p) requires licensees and certificate holders to provide information on the FBI's procedures for appealing a "denied" response to the denied individual or on providing additional information to the FBI to resolve a "delayed" response. Individuals who receive a "denied" or "delayed" NICS response to a firearms background check may request in writing the reason for the response from the FBI. The licensee or certificate holder must provide the individual who has received the "denied" or "delayed" response the unique NICS transaction number associated with the specific firearms background check. This paragraph also allows individuals who wish to challenge the "denied" or "delayed" response, or assert that his or her rights to possess or receive a firearm have been restored by lawful process to make an application first to the FBI. The individual must file the appeal of a "denied" response or file a request to resolve a "delayed" response within 45 calendar days of the date the NRC forwards the results of the firearms background check to the licensee or certificate holder. The appeal or request must include appropriate documentation or record(s) establishing the legal and/or factual basis for the challenge. If the individual is notified that the FBI is unable to resolve the appeal, the individual may then apply for correction of the record directly to the agency from which the information forming the basis of the denial was originated. If the individual is notified by the originating agency, that additional information or documents are required the individual may provide them to the originating agency. If the record is corrected as a result of the appeal to the originating agency, the individual may notify the FBI and submit written proof of the correction.

Section 73.19(b) allows licensees and certificate holders to apply to the NRC to receive stand-alone preemption authority or combined enhanced weapons authority and preemption authority.

Section 73.19(d)(1) requires licensees and certificate holders seeking preemption authority to submit an application to the NRC in writing.

Section 73.19(d)(2) allows licensees and certificate holders who have applied for preemption authority to begin the required firearms background checks for armed security personnel in accordance with § 73.18.

Section 73.19(d)(3) requires licensees and certificate holders who have applied for preemption authority and who have satisfactorily completed firearms background checks for a sufficient number of security personnel to notify the NRC of their readiness to receive NRC approval of preemption authority and implement all of the provisions in § 73.18.

Section 73.19(d)(4) requires NRC to document in writing to the licensee or certificate holder that the Commission has approved or disapproved the licensee's or certificate holder's application for preemption authority.

Section 73.19(e)(1)-(2) requires licensees and certificate holders seeking

enhanced weapons authority to submit an application to the NRC.

Section 73.19(e)(3) requires NRC to document in writing to the licensee or certificate holder that the Commission has approved or disapproved the licensee's or certificate holder's application for enhanced-weapons authority.

Section 73.19(e)(4) requires licensees and certificate holders who have applied for enhanced-weapons authority to apply to the ATF for a federal firearms license (FFL) and also register under the National Firearms Act (NFA) in accordance with ATF's regulations.

Section 73.19(f)(1) requires licensees or certificate holders applying to the Commission for enhanced-weapons authority to submit to the NRC for prior review and written approval new or revised physical security plans, training and qualification plans, safeguards contingency plans, and safety assessments incorporating the use of enhanced weapons.

Section 73.19(f)(2)(i) requires licensees or certificate holders to identify in the physical security plan the specific types of models, calibers, and numbers of enhanced weapons to be used.

Section 73.19(f)(2)(ii) requires licensees or certificate holders to address in the training and qualification plan the training and qualification requirements to use these specific enhanced weapons.

Section 73.19(f)(2)(iii) requires licensees or certificate holders to address in the safeguards contingency plan how enhanced and standard weapons will be employed by the licensee's or certificate holder's security personnel in meeting the NRC-required protective strategy, including tactical approaches and maneuvers.

Section 73.19(f)(2)(iv) requires licensees or certificate holders to assess in the safety assessment any potential safety impact on the facility, radioactive material, other property, public or private facilities, public or private property, or on members of the public in areas outside of the site boundary from the use of these enhanced weapons. In addition, licensees or certificate holders must assess in the safety assessment any potential safety impact on public or private facilities, public or private property, or on members of the public from the use of these enhanced weapons at training facilities intended for proficiency demonstration and qualification purposes.

Section 73.19(f)(3) requires licensees or certificate holders to include information in the training and qualification plan on possessing, storing, maintaining, qualifying on, and using enhanced weapons. This information must be from applicable firearms standards developed by nationally-recognized firearms organizations or standard setting bodies or standards developed by Federal agencies.

Section 73.19(f)(4) requires licensees or certificate holders to submit any new or revised plans and assessments for prior NRC review and written approval notwithstanding the provisions of §§ 50.54(p), 70.32(e), and 76.60 which otherwise permit a license or certificate holder to make changes to such plans "that would not decrease their effectiveness" without prior NRC review.

Section 73.19(j) requires licensees and certificate holders with an ATF FFL and/or enhanced weapons to notify the NRC of instances involving adverse ATF findings or ATF notices related to their FFL or enhanced weapons.

Section 73.55(a)(1) requires that licensees submit proposed amendments to their security plans within 180 days after the effective date of the final rule. Reactor licensees would be required to submit to the Commission for review and approval proposed amendments to their approved Physical Security Plan, Training and Qualification Plan, Safeguards Contingency Plan (these plans are referred to collectively as "approved security plans") which show how the revised regulations regarding physical protection against radiological sabotage will be met. The revised plans are required in order to allow NRC to determine that licensees have made adequate provisions to protect against the design basis threat of radiological sabotage.

Section 73.55(a)(2) requires that licensees submit amended security plans as specified in § 50.4 and must describe how the revised requirements of § 73.55 will be implemented by the licensee, to include a proposed implementation schedule.

Section 73.55(b)(4) requires that a licensee's physical protection program include written implementing procedures to ensure the capability to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.

Section 73.55(b)(6) requires that licensees establish and maintain a written performance evaluation program in accordance with appendix B and C to demonstrate and assess the effectiveness of armed responders and armed security officers to perform their assigned duties and responsibilities required for the protection of target sets through implementation of the licensee protective strategy.

Section 73.55(b)(7)(i) requires that each licensee develop, implement, and maintain an insider mitigation program.

Section 73.55(b)(8) requires licensees to develop corrective action measures to ensure that the cause of failures, malfunctions, deficiencies, deviations, defective equipment and nonconformance in security program components, functions, or personnel are promptly identified and corrected. These measures also must identify the cause of these conditions to ensure that the conditions do not happen again.

Section 73.55(c)(3) requires licensees to establish and maintain a physical security plan that describes the facility location and layout, the security organization and structure, duties and responsibilities of personnel, and defense-in-depth implementation that describes components, equipment and technology used.

Section 73.55(d)(5)(iii) requires reactor licensees with contracted security personnel to revise and retain as a record the contract to state that individuals will not be issued a firearm or otherwise be assigned to an unsupervised position involving detection, assessment, or response to unauthorized activities until the individuals have satisfied access authorization requirements.

Section 73.55(d)(5)(vi) requires reactor licensees with contracted security personnel to revise and retain as a record the contract to state that all licenses related to the possession and ownership of firearms and enhanced weapons reside with the licensee, not the contractor.

Section 73.55(e)(1) requires licensees to include in their security plans the design, construction, and function of physical barriers and barrier systems used to ensure that each barrier and barrier system satisfies the stated function of the overall system.

Section 73.55(e)(7)(iv) requires licensees to identify in accordance with § 73.58 vital equipment that is undergoing maintenance or is out of service, or any other change to site conditions that could adversely affect plant safety or security. Under these circumstances, licensees also must make adjustments

to the site protective strategy, site procedures, and approved security plans, as necessary.

Section 73.55(e)(9)(iv) requires licensees to coordinate with local, state, and Federal agencies having jurisdiction over waterway approaches to ensure that waterway approach routes are controlled.

Section 73.55(f)(1) requires reactor licensees to document in site procedures the process used to develop and identify target sets, including the analyses and methodologies used to determine and group the target set equipment or elements. Section 73.55(f)(4) requires licensees to implement a program for the oversight of plant equipment and systems documented as part of the protective strategy to ensure that changes to the configuration of the identified equipment and systems do not compromise the licensee's capability to prevent significant core damage and spent fuel sabotage. Section 73.55(g)(2)(iv) requires licensees to refer to industry shared lists and databases to confirm that individuals are not denied access to another licensed facility. Section 73.55(g)(4)(ii) requires licensees to develop procedures for emergency conditions to ensure authorized emergency personnel are provided prompt access to affected areas and equipment, attempted or actual unauthorized entry to vital equipment is detected, and the capability to prevent significant core damage and spent fuel sabotage is maintained.

Section 73.55(g)(4)(iii) requires licensees to coordinate with offsite emergency support agencies to ensure the proper restrictions to site access and egress are maintained during emergency conditions.

Section 73.55(g)(6)(i)(C) requires reactor licensees to maintain a record (name and areas to which unescorted access is granted) of all individuals to whom photo identification badge/key-cards have been issued.

Section 73.55(g)(6)(ii)(B) requires reactor licensees to maintain a record (name and affiliation) of all individuals to whom access control devices have been issued and inventory appropriate access control devices at least annually.

Section 73.55(g)(7)(i)(A) requires licensees to develop procedures for processing, escorting, and controlling visitors.

Section 73.55(h)(2) requires reactor licensees to establish and implement written search procedures for all access control points before granting access to any individual, vehicle, package, delivery, or material.

Section 73.55(i)(5) requires licensees to define detection capabilities provided by security organization personnel and intrusion detection equipment in the site's implementing procedures.

Section 73.55(i)(6) requires licensees to define assessment capabilities provided by security organization personnel and video assessment

equipment in the site's implementing procedures.

Section 73.55(i)(8)(v) requires licensees to include in the site's implementing procedures a process by which both alarm station operators are knowledgeable of all alarm annunciations, assessments and final disposition of all alarms.

Section 73.55(j)(2) requires licensees to describe in security plans, integrated response plan, and licensee procedures the predetermined actions that individuals in the alarm stations should follow in cases where they need assistance.

Section 73.55(j)(6) requires licensees to identify site areas where communication could be interrupted or cannot be maintained. Licensees also must establish alternative communication measures in the site's implementing procedures.

Section 73.55(k)(1)(iii) requires licensees to describe in the security plans all firearms and equipment that is readily available to or possessed by armed personnel. The description must include the general distribution and assignment of firearms, ammunition, body armor, and other equipment used.

Section 73.55(k)(3)(i)(A) requires licensees to document in the security plans the minimum number of armed responders necessary to protect against the design basis threat.

Section 73.55(k)(3)(ii)(B) requires licensees to document in the security plans the minimum number of armed security officers used on site.

Section 73.55(k)(4) requires licensees to describe in the security plans procedures for responding to an unplanned incident that reduces the number of available armed response team members below the minimum number documented in the security plans.

Section 73.55(k)(5) requires licensees to develop and maintain a written protective strategy in accordance with the requirements of § 73.55 and appendix C.

Section 73.55(l)(3)(i) requires licensees to describe in the security plans the operational and administrative controls to be implemented for the receipt, inspection, movement, storage, and protection of unirradiated MOX fuel assemblies.

Section 73.55(l)(3)(vi) requires licensees to develop a Material Control and Accountability Program to focus on recordkeeping which describes the inventory and location of the SSNM within the assemblies.

Section 73.55(l)(3)(vii) requires licensees to protect and store records that identify the storage locations of unirradiated MOX fuel assemblies in accordance with the safeguards information requirements in § 73.21.

Section 73.55(m)(1) requires licensees to implement a cyber-security program that provides high assurance that computer systems that could adversely impact safety, security, and emergency preparedness, are protected from cyber attacks.

Section 73.55(m)(2) requires licensees to implement a cyber-security assessment program to systematically assess and manage cyber risks.

Section 73.55(m)(3)(i) requires licensees to apply cyber-security requirements and policies that identify management expectations and requirements for the protection of computer systems.

Section 73.55(m)(3)(ii) requires reactor licensees to develop and maintain cyber-security implementing procedures.

Section 73.55(m)(4)(i)-(iii) requires licensees to develop a cyber-security incident response and recovery plan to minimize the adverse impact of a cyber-security incident on safety, security, or emergency preparedness systems. The plan must be described in the integrated response plan.

Section 73.55(m)(6) requires licensees to implement a configuration and control management program, including a cyber risk analysis, to ensure that modifications to computer system designs, access control measures, configuration, operational integrity, and management process do not adversely impact facility safety, security, and emergency preparedness systems before implementation of the modifications.

Section 73.55(n)(4) requires licensees to periodically evaluate cyber-security programs for effectiveness and update the cyber-security program as needed to ensure protection against changes to internal and external threats.

Section 73.55(n)(5) requires licensees to conduct quarterly drills and annual force-on-force exercises in accordance with appendix C and the licensee performance evaluation program. The recordkeeping burden associated with these drills and exercises is reported under appendix C section II.(1)(2)(iv).

Section 73.55(n)(7) requires reactor licensees to enter findings from onsite physical protection program reviews, audits, and assessments into the site corrective action program.

Section 73.55(o)(1)(ii) requires licensees to describe the maintenance, testing and calibration program in the physical security plan and the site's implementing procedures.

Section 73.55(o)(1)(iii) requires reactor licensees to document problems, failures, deficiencies, and other findings (including the cause of each) into the site corrective action program.

Section 73.55(o)(8) requires licensees to specify in their security plans a program for testing or verifying the operability of devices or equipment

located in hazardous areas. Licensees also must define alternate measures to ensure the timely completion of testing or maintenance when the hazardous condition or radiation restrictions are no longer applicable.

Section 73.55(q)(1)(i) requires licensees to get approval, at a minimum, from a licensed senior operator prior to suspending safeguards measures during an emergency.

Section 73.55(q)(1)(ii) requires licensees who suspend safeguards due to severe weather to get approval from the security supervisor and a licensed senior operator prior to taking this action.

Section 73.55(q)(3) requires licensees to document the suspension of safeguards measures in accordance with § 73.71.

Section 73.55(r)(2) requires licensees to maintain all records required to be kept by Commission regulations, orders, or license conditions, as a record until the Commission terminates the license for which the records were developed and shall maintain superceded portions of these records for at least three years after the record is superceded, unless otherwise specified by the Commission. The burden associated with this proposed provision is captured under each relevant recordkeeping requirement.

Section 73.55(s) requires licensees to develop and implement a process to inform and coordinate safety and security activities to ensure that these activities do not adversely affect the capabilities of the security organization.

Section 73.55(t)(2) requires licensees to submit in accordance with §§ 50.4 and 50.90, proposed alternative measures to the Commission for review and approval before these measures are implemented.

Section 73.55(t)(3) requires licensees to submit a technical basis for proposed alternative measures, to include any analysis or assessment conducted in support of a determination that the proposed alternative measure provides a level of protection that is at least equal to the specific requirements in § 73.55.

Section 73.56(a)(1) and (a)(2) requires that reactor licensees submit proposed amendments to their access authorization program to the Commission within 180 days after the effective date of the final rule that describe how the revised requirements in § 73.55 will be implemented, along with an implementation schedule.

Section 73.56(a)(6) requires C/Vs to develop, implement, and maintain authorization programs or program elements that meet the requirements of § 73.56.

Section 73.56(b) adds several categories of individuals who would be subject to the access authorization program. These additional categories include: individuals whose assigned duties and responsibilities permit the individual to

take actions by electronic means; individuals who have responsibilities for implementing a licensee's or applicant's protective strategy, and reviewing officials.

Section 73.56(d)(1) requires entities subject to this section to obtain written consent from individuals who are applying for unescorted access authorization before initiating the background investigation. The paragraph also requires licensees, applicants, and C/Vs to inform the individual of his or her right to review information that is collected to assure its accuracy.

Section 73.56(d)(1)(i) requires licensees, applicants and C/Vs to inform individuals that withdrawal of consent will withdraw the individual's current application for access authorization, and other licensees applicants, and C/Vs will have access to information documenting the withdrawal.

Section 73.56(d)(1)(ii) requires licensees, applicants and C/Vs to complete any background investigation elements that were in progress when an applicant withdraws his or her consent. The licensee must record the individual's application for unescorted access authorization, his or her withdrawal of consent for the background investigation, the reason given for the withdrawal, if any, and any pertinent information collected from the background investigation elements that were completed.

Section 73.56(d)(1)(iii) requires licensees, applicants and C/Vs to inform in writing any individual who is applying for unescorted access authorization of the actions related to providing and sharing personal information under this section which are sufficient cause for denial or unfavorable termination of unescorted access authorization.

Section 73.56(d)(2)(i) requires individuals who are applying for unescorted access authorization to disclose the personal history information that is required by the licensee's, applicant's or C/V's authorization program, and any other information that may be necessary for the reviewing official to make a determination of the individual's trustworthiness and reliability.

Section 73.56(d)(3) requires licensees, applicants, and C/Vs to validate the social security number or the alien registration number that the individual provides. In addition, the licensee, applicant, and C/V must determine whether the results of the fingerprinting confirm the individual's claimed identity.

Section 73.56(d)(4)(iv) requires that licensees, applicants, and C/Vs document in the licensee's, applicant's, or C/V's record of investigation instances where a company, previous employer, or educational institution to whom the licensee, applicant, or C/V has directed a request for information refuses to provide information or indicates an inability or unwillingness to provide information within 3 business days of the request.

Section 73.56(d)(4)(v) requires licensees, applicants, and C/Vs to share employment history information that they have collected, if contacted by another licensee, applicant or C/V.

Section 73.56(d)(4)(vi) allows licensees, applicants, and C/Vs to use electronic means to obtain the employment history information for an individual but must ensure that a record is made.

Section 73.56(e)(5) requires the licensed clinical psychologist or psychiatrist conducting the psychological assessment to inform the reviewing official of any indications or information related to a medical condition that could adversely impact the individual's fitness for duty or trustworthiness and reliability.

Section 73.56(f)(2)(ii) allows individuals to take, as an alternative to annual refresher training, a comprehensive examination on behavioral observation.

Section 73.56(f)(3) requires individuals who are subject to an authorization program to report to the reviewing official any concerns arising from behavioral observation.

Section 73.56(g) requires individuals who have applied for or are maintaining unescorted access authorization to promptly report to the reviewing official any formal actions taken against the individual by a law enforcement authority or court of law. This would include an arrest, indictment, the filing

of charges or a conviction.

Section 73.56(i)(1)(v)(A) requires licensees, applicants and C/Vs to complete a criminal history update, credit history re-evaluation, and psychological re-assessment of the individual within five years of the date on which these elements were last completed, or more frequently, based on job assignment.

Section 73.56(i)(1)(v)(D) requires licensees, applicants and C/Vs to administratively withdraw an individual's unescorted access authorization if the criminal history update, credit history re-evaluation, psychological re-assessment, and supervisory review have not been completed.

Section 73.56(k) requires licensees, applicants, and C/Vs to conduct background checks on individuals who collect, process, or have access to the sensitive personal information required under this section increasing the scope of individuals who are subject to background checks.

Section 73.56(m)(3) requires licensees, applicants, and C/Vs to provide copies of all records pertaining to a denial or unfavorable termination of unescorted access authorization to the subject individual or his or her designated representative upon written request.

Section 73.56(m)(5) requires licensees, applicants, and C/Vs to establish and maintain procedures for the secure storage and handling of the personal information collected.

Section 73.56(n)(2) requires that if a licensee or applicant relies upon a C/V program or program element to meet the requirements of this section, and if the C/V personnel providing the access authorization program service are off site or, if they are on site but not under the direct daily supervision or observation of the personnel of the licensee or applicant, then the licensee or applicant must audit the C/V program or program element on a nominal 12-month frequency. Also, it requires that any authorization program services that are provided to C/Vs by subcontractor personnel who are off site or are not under the direct daily supervision or observation of the C/V's personnel must be audited on a nominal 12-month frequency.

Section 73.56(n)(4) requires licensees' and applicants' contracts with C/Vs, and C/V's contracts with subcontractors to specify that the licensee or applicant will be provided with, or permitted access to, copies of any documents that may be needed to ensure that C/Vs and their subcontractors are properly performing the their functions.

Section 73.56(n)(6) requires licensees to document the results of audits, any recommendations, and the resolution of the audit findings and corrective actions. These documented findings must be shared with senior corporate and site management.

Section 73.56(n)(7)(iii) requires each sharing licensee, applicant and C/V to maintain a copy of the shared audit, including findings, recommendations,

and corrective actions.

Section 73.56(o) requires licensees, applicants, and C/Vs to maintain the records required by this section for the period specified by regulatory provisions. If no time period is specified in the regulatory language, then the licensee, applicant, or C/V must retain records until the Commission terminates the facility's license, certificate, or other regulatory approval. The proposed language would replace the current records requirement which requires retention of records on which UAA is granted for a period of 5 years following termination of UAA, retention of records upon which a denial of UAA is based for 5 years, and retention of audit records for 3 years.

Section 73.56(o)(2)(i) requires each licensee, applicant, and C/V to retain for at least 5 years after the licensee, applicant, or C/V terminates or denies an individual's unescorted access authorization or until the completion of all related legal proceedings, whichever is later, records of the information that must be collected under paragraphs (d) and (e) of this section that results in the granting of unescorted access authorization.

Section 73.56(o)(2)(ii) requires each licensee, applicant, and C/V to retain for at least 5 years after the licensee, applicant, or C/V terminates or denies an individual's unescorted access authorization or until the completion of all related legal proceedings, whichever is later, records pertaining to denial or unfavorable termination of unescorted access authorization and related management actions.

Section 73.56(o)(2)(iii) requires each licensee, applicant, and C/V to retain for at least 5 years after the licensee, applicant, or C/V terminates or denies an individual's unescorted access authorization or until the completion of all related legal proceedings, whichever is later, documentation of the granting and termination of unescorted access authorization.

Section 73.56(o)(3)(i) requires each licensee, applicant, and C/V who is subject to the section to retain, for at least 3 years or until the completion of all related legal proceedings, whichever is later, records of behavioral observation training conducted under paragraph (f)(2).

Section 73.56(o)(3)(ii) requires each licensee, applicant, and C/V who is subject to the section to retain, for at least 3 years or until the completion of all related legal proceedings, whichever is later, records of audits, audit findings, and corrective actions taken under paragraph (n).

Section 73.56(o)(4) requires licensees, applicants, and C/Vs to retain written agreements for the provision of services under this section for the life of the agreement or until all legal proceedings related to a denial or unfavorable termination of unescorted access authorization are completed, whichever is later.

Section 73.56(o)(5) requires licensees, applicants, and C/Vs to retain records of background checks and psychological assessments of authorization program personnel for the length of the individual's employment by or contractual relationship with the licensee, applicant, or C/V, or until the completion of legal proceedings related to the actions of authorization program personnel, whichever is later.

Section 73.56(o)(6) requires licensees, applicants, and C/Vs to record and retain information about individuals who have applied for unescorted access authorization in an information-sharing mechanism. Licensees, applicants, and C/Vs must ensure that only correct information is included in the information-sharing mechanism. If information about an individual changes or new information is developed, licensees, applicants, and C/Vs must correct the information included in this mechanism. If the changed or new

information adversely affects an individual's trustworthiness and reliability, the licensee, applicant, or C/V must inform the reviewing official of any authorization program under which the individual maintains unescorted access authorization under of the updated information. The reviewing official must take appropriate action, which may include denial or unfavorable termination of the individual's unescorted access authorization. Section 73.58(a)(1)-(2) requires licensees to assess and manage the potential for adverse effects on safety and security prior to implementing changes to plant configurations, procedures, facility conditions or security. As a result, licensees would need to develop Safety/Security interface written procedures.

Section 73.58(b) requires licensees to communicate identified adverse interactions to the appropriate licensee personnel and to take compensatory and/or mitigative actions to maintain safety and security.

Section 73.71(a) requires that each licensee subject to the provisions of § 73.55 notify the NRC Operations Center as soon as possible, but not later than 15 minutes after discovery of an imminent or actual threat against the facility. The report must identify the facility name, the type of threat, and the threat status.

Section 73.71(d) requires that each licensee subject to the provisions of § 73.55 notify the NRC Operations Center as soon as possible, but not later than four hours after discovery of suspicious activities, attempts at access, or other safeguards events described in proposed paragraph III of appendix G that may indicate pre-operational surveillance, reconnaissance, or intelligence gathering activities targeted against the facility.

Section 73.71(g)(1) adds a new requirement that each licensee submit a written report to the NRC within 60 days of making a 15-minute notification as required under proposed paragraph 73.71(a).

Appendix B Section VI C.2.b. requires licensee training instructors to document on-the-job training and security supervisors to attest to an individual's on-the-job training.

Appendix B Section VI E.1.b.(2) and (3) requires that licensees only use firearms instructors that are certified from a national or state recognized entity and that the certification specify the weapon type(s) for which the instructor is qualified to teach.

Appendix B Section VI E.1.b.(4) requires that licensees only use firearms instructors who receive periodic re-qualification to demonstrate proficiency.

Appendix B Section VI E.1.d. requires licensees to include in the training and qualification plan the following additional standards: target engagement, weapon malfunctions, cover and concealment, weapon transition between strong (primary) and weak (support) hands, and weapon familiarization.

Appendix B Section VI E.1.f. requires licensees to require that armed

members of the security organization participate in weapons range activities on a nominal four month periodicity, rather than the previous annual requirement.

Appendix B Section VI F.2. requires licensees to request NRC authorization to implement alternative firearms qualification programs. The written requests must provide details regarding the proposed firearms qualification programs and describe how the proposed alternative satisfies Commission requirements.

Appendix B Section VI F.3. requires that a licensee's written training and qualification plan must describe the firearms used, the firearms qualification program, and other tactical training required to implement the Commission-approved security plans, licensee protective strategy, and implementing procedures.

Appendix B Section VI G.3.a. requires licensees to include in the training and qualifications plan a firearms maintenance and accountability program to ensure weapons and ammunition are properly maintained, function as designed, and are properly stored and accounted for.

Appendix C Section II (b) requires licensees to include additional categories of information in their safeguards contingency plan. These additional topics include primary security functions, response capabilities, protective strategy, integrated response plan, threat warning system, performance evaluation program, audits and reviews, and implementing procedures.

Appendix C Section II (c)(2)(iii) requires licensees to describe in the safeguards contingency plan the different elements of the onsite physical protection program that are used to provide at all times the capability to detect, assess, intercept, challenge, delay, and neutralize threats, up to and including the design basis threat.

Appendix C Section II (c)(2)(v) requires licensees to describe in the safeguards contingency plan how the onsite response effort is integrated to include specific procedures, guidance, and strategies to maintain or restore core cooling, containment, and spent fuel cooling capabilities using existing or readily available resources that can be implemented in cases where there is loss of large areas of the plant due to explosions or fires.

Appendix C Section II (d)(3)(iv) requires licensees to identify in the safeguards contingency plan the predetermined decisions and actions which are required to satisfy the written goals and objectives for each postulated event.

Appendix C Section II (e)(1) requires licensees to describe in the safeguards contingency plan how command-and-control functions will be coordinated and maintained during safeguards contingencies.

Appendix C Section II (e)(2)(i)(A) requires licensees to describe in the safeguards contingency plan the site location in relation to pipelines, hazardous material facilities, and onsite independent spent fuel storage installations.

Appendix C Section II (e)(4)(ii) requires licensees to describe in the safeguards contingency plan working agreements with offsite law enforcement agencies. Working agreements must include criteria for response, command and control protocols, and communication procedures.

Appendix C Section II (g)(3)-(4) requires licensees to describe how the primary security functions are integrated to provide defense-in-depth and maintained despite the loss of any single element of the onsite physical protection program. The description must begin with the onsite physical protection measures at the outermost facility perimeter, and move inward through vital and target set equipment.

Appendix C Section II (h)(2) requires licensees to identify personnel, equipment, and resources necessary to perform the actions required to prevent significant core damage and spent fuel sabotage in response to postulated events.

Appendix C Section II (h)(4) requires licensees to include a description of the armed response team in the safeguards contingency plan.

Appendix C Section II (h)(5) requires licensees to document in the approved security plans and the protective strategy the total number of armed responders and armed security officers.

Appendix C. Section II (i)(1) requires licensees to maintain a written protective strategy describing the predetermined deployment of armed personnel.

Appendix C Section II (j)(2) requires licensees to document and maintain an Integrated Response Plan that is designed to integrate and coordinate all actions to be taken in response to an emergency event. The Integrated Response Plan also must include specific procedures, guidance, and strategies to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities using existing or readily available resources under circumstances involving loss of large areas of the plant due to explosions or fires. In addition, the Plan must provide emergency action levels to ensure that threats result in at least a notification of unusual event. The Plan also must include specific procedures, guidance, and strategies describing cyber incident response and recovery.

Appendix C Section II (j)(3)(i) requires licensees to annually liaison with local, state, and Federal law enforcement agencies to confirm communication protocols, command and control structure, marshaling locations, estimated response times, and anticipated response capabilities and specialized equipment.

Appendix C. Section II (l)(1) requires licensees to maintain a Performance Evaluation Program which describes how the licensee will demonstrate and assess the effectiveness of the onsite physical protection program.

Appendix C Section II (l)(2) requires licensees to include in the Performance Evaluation Program procedures for the conduct of quarterly drills and annual force-on-force exercises.

Appendix C. Section II (l)(2)(iii) requires licensees to document each performance evaluation, including the scenarios, participants, and critiques.

Appendix C Section II (l)(2)(iv) requires licensees to document a post exercise critique in which participants identify failures, deficiencies, or other findings in performance, plans, equipment, or strategies.

Appendix C. Section II (l)(2)(v) requires licensees to enter all findings,

deficiencies, and failures identified by each performance evaluation into the corrective action program.

Appendix C Section II (l)(6) requires licensees to develop and document multiple scenarios for use in conducting quarterly drills and annual force-on-force exercises. The scenarios must be designed to test and challenge each aspect of the security system.

Appendix C. Section II (n)(1) requires licensees to establish written implementing procedures that provide specific guidance and operating details regarding the actions taken by each member of the security organization who is assigned duties and responsibilities required for the effective implementation of the site's security plans and protective strategy.

Appendix G Section I (a) requires licensees to notify the Commission as soon as possible, but no later than 15 minutes after discovery, of the initiation of a security response consistent with a licensee's physical security plan, safeguards contingency plan, or defensive strategy based on an actual or imminent threat against a nuclear power plant. The licensee also must file a written report with the Commission within 60 days.

Appendix G Section III (a)-(b) requires licensees to notify the Commission within four hours of the discovery any other information received regarding suspicious surveillance activities, attempts at access, or other information. In addition, licensees must report within four hours of discovery any information received regarding the unauthorized use of or tampering with the components or controls, including the security system, of nuclear power plants.

2. Agency Use of the Information

The information included in the applications, reports, and records is reviewed by the NRC staff to assess the adequacy of the applicant's physical plant, equipment, organization, training, experience, procedures, and plans for the common defense and security.

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. 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 means. It is estimated that 2 percent of the potential responses are filed electronically.

4. Effort to Identify Duplication and Use Similar Information

Licensees for nuclear power reactors maintain a system of records on individuals subject to access authorization requirements called the Personnel

Access Database System (PADS), to which the licensees send information concerning employment dates, approvals of access authorization, withdrawals of access authorization, and other subjects. All other records maintained by licensees would not be duplicated by other Federal information collection requirements and would not be available from any other source. NRC has in place an on-going program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

This rulemaking contains access authorization requirements (§ 73.56), that are similar to some of the requirements contained in the newly revised 10 CFR Part 26 (fitness-for-duty regulations). This is necessary to improve the integration of the access authorization requirements, fitness-for-duty requirements, and security program requirements. Further, the proposed rule would include an increase in the rigor for some elements of the access authorization program, including requirements for the conduct of psychological assessments, requirements for individuals to report arrests to the reviewing official, and requirements to clarify the responsibility for the acceptance of shared information. The proposed rule also would add requirements to allow NRC to inspect licensee information sharing records and requirements that subject additional individuals, such as those who have electronic access via computer systems or those who administer the access authorization program, to the access authorization requirements.

5. Effort to Reduce Small Business Burden

Since the consequences to the common defense and security are the same for large and small entities, it is not possible to reduce the burden on small businesses by less frequent or less complete reports, records, plans, and procedures. However, no small entities are expected to be impacted by the proposed rule.

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

If the information collection was not conducted or was conducted less frequently, the NRC would be precluded from being notified in time to provide rapid response and quick assistance in achieving timely resolution of safeguards events. Reports are submitted and evaluated as events occur. Additionally, background checks of armed security personnel could not be conducted as required by §161A. of the AEA, 42 U.S.C. 2201a.

7. Circumstances Which Justify Variation from OMB Guidelines

Certain sections of Part 73 vary from the OMB Guidelines in 5 CFR 1320.5(d) by requiring that licensees submit reports to the NRC in less than 30 days. Section 73.71 requires immediate notifications to NRC. These notification requirements are needed to permit response forces, the NRC Operations Center staff, and law enforcement authorities to determine whether an actual or imminent threat against nuclear power plants exists. In addition, § 73.18(j) requires licensees and certificate holders to notify the NRC within 72 hours of

removing security personnel from duties requiring access to covered weapons. This notification requirement is needed to ensure that, following their removal, individuals do not perform duties requiring access to covered weapons at any other licensee site.

Certain other sections of Part 73 vary from the OMB Guidelines in 5 CFR 1320.5(d) by requiring that licensees retain records for more than 3 years. Various sections require retention of records for extended periods such as duration of an individual's employment, or until the Commission terminates the facility's license, certificate, or other regulatory approval. It is necessary for licensees to retain access authorization records for extended periods of time to ensure that personnel with access denials or terminations are included within the licensee's PADS. This will assist the licensee's reinvestigation process and the applicability of visitor access to the facility. Other records are required for inspection or for reconstruction of events in the event of a safeguards incident.

8. Consultations Outside the NRC

This rulemaking partially addresses a Petition for Rulemaking (PRM-50-80), dated April 28, 2003, from the Union of Concerned Scientists and the San Luis Obispo Mothers for Peace (petitioners). The petitioners requested that the regulations establishing conditions of licenses and requirements for evaluating proposed changes, tests, and experiments for nuclear power plants be amended to require licensee evaluation of whether the proposed changes, tests, and experiments cause protection against radiological sabotage to be decreased and, if so, that the changes, tests, and experiments only be conducted with prior NRC approval. Although this rulemaking does not necessarily amend the regulatory sections identified in the petition, the NRC is proposing new safety-security requirements to provide reasonable assurance that the common defense and security continues to be adequately protected during plant changes that could affect plant safety and security.

Further, this rulemaking contains new requirements that complement EAct 2005 requirements. The EAct 2005 contains several provisions that impact nuclear power plant security, and this rulemaking adopts many of those provisions.

In addition, the NRC will publish these information collection requirements in the *Federal Register* to provide the public with the opportunity to comment. The NRC will respond to the public comments received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Certain information designated as Safeguards Information is prohibited from public disclosure in accordance with the provisions of the Atomic Energy Act

of 1954, as amended, Chapter 12, Section 147, or designated as classified National Security Information, in accordance with Executive Order 12958.

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b). The NRC otherwise provides no other pledge of confidentiality for this collection.

11. Justification for Sensitive Questions

This rulemaking requires licensees, applicants, and C/Vs to collect information about individuals who are applying for or have unescorted access authorization. This information includes behavioral observations, psychological assessments, and other elements of a background check. The sensitive information is necessary because licensees, applicants, and C/Vs need to determine whether the individual is qualified to gain unescorted access to the site. Reviewing officials use the sensitive information to evaluate an individual's trustworthiness and reliability. Licensees, applicants and C/Vs must obtain written consent from any individual who is applying for unescorted access authorization before initiating any element of the required background investigation. The practice of obtaining the individual's written consent for the background investigation has been endorsed by the NRC and is necessary to protect the privacy rights of individuals who are applying for unescorted access authorization. To protect this sensitive information, each licensee, applicant, or C/V who collects personal information about an individual must establish and maintain a system of files and procedures to protect the personal information.

12. Estimated Burden and Burden Hour Cost

The costs associated with the information collections are given in Table 1 for annualized one-time recordkeeping burden, Table 2 for annual recordkeeping burden, Table 3 for annualized one-time reporting burden, and Table 4 for annual reporting burden. The overall estimated annualized one-time burden is 85,010 hours and the overall estimated annual burden is 60,603 hours for an overall annualized burden of 145,613 hours. See the burden tables for the estimated burden by regulatory requirement.

The estimated one-time burden hour cost for all affected licensees and certificate holders is \$18.4 million (85,010 hours x \$217/hour), while the estimated annual burden hour cost for all affected licensees and certificate holders is approximately \$13.2 million (60,603 hours x \$217/hour). Therefore, the total estimated burden hour cost is \$31.6 million. The estimated cost per burden hour is based upon NRC's annual fee recovery rule.

13. Estimate of Other Additional Costs

The NRC has determined that the records storage cost is roughly proportional to the recordkeeping burden cost. Based on a typical clearance, the records storage cost has been determined to be equal to .0004 percent of the recordkeeping burden cost. Therefore, the records storage cost for this

clearance is estimated to be \$11,562 (133,202.5 recordkeeping hours x \$217 per hour x .0004).

14. Estimated Annualized Cost to Federal Government

This section calculates the estimated annualized cost to the government over the three-year period covered by the analysis, including both one-time costs and annual costs. The estimated one-time cost to the government for review of required reports and records is approximately \$3.5 million (16,000 hours, or 8 full-time equivalents for one year at \$217/hr). Averaging this over the three-year period covered by the analysis, this burden amounts to \$1.2 million (5,333 hours, or 2.7 FTEs per year at \$217/hr). The estimated annual cost to the government is approximately \$260,000 (1,200 hours at \$217/hr). Combining the one-time cost with the annual cost results in a total annualized cost of \$1.4 million. As discussed above, however, most of this burden is incurred in the first year. These costs are fully recovered by fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reason for Change in Burden or Cost

The estimated incremental recordkeeping and reporting burden of the proposed rule is 145,613 hours. This estimate includes the one-time and annual requirements of the proposed rule. Of this, 85,010 hours are for one-time reporting and recordkeeping requirements. Therefore, the proposed burden increase will be reduced by approximately 58 percent once the one-time requirements have been completed. The proposed rule adds three new sections, specifically § 73.18, § 73.19, and § 73.58, and completely revises §73.55, §73.56, §73.71, 10 CFR Part 73 appendix B, 10 CFR Part 73 appendix C, and 10 CFR Part 73 appendix G.

The factors that account for the increased estimate are the following: The proposed rule (1) creates more detailed requirements for the content of licensees' security plans; (2) includes more detailed requirements for correcting security deficiencies through the site's corrective action program; (3) adds requirements for safety-security interface procedures; (4) accounts for recordkeeping associated with alarm annunciations and access control devices; and, (5) creates additional recordkeeping and reporting requirements associated with background investigations for access authorization and access to enhanced weapons. The proposed rule contains these new provisions that include reporting and recordkeeping burdens that were not part of previous estimates.

16. Publication for Statistical

Use None.

17. Reasons for Not Displaying the Expiration Date

The requirements are 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.

Exceptions to the Certification Statement

None. No small businesses are expected to be affected and no statistical use of the information will be made.

Table 1
10 CFR Part 73 Estimated One-Time Annualized Recordkeeping Burden

Section	No. of Recordkeepers [a]	No. of Records per Recordkeeper [b]	Time Hours per Recordkeeper [c] [b x # of hours]	Total One Time Burden [a x c]
73.18(b)(1)	67	120	960	64,320
73.18(d)(1)	Burden shown under Section 73.18(b)(1)			
73.18(d)(2)	Burden shown under Section 73.18(b)(1)			
73.18(k)	Burden shown under Section 73.55(a)(1)			
73.18(o)(3)	Burden shown under Section 73.55(b)(4)			
73.19(d)(2)	Burden shown under Section 73.18(b)(1)			
73.19(d)(4)	67	1	0.07	4.5
73.19(e)(3)	Burden shown under Section 73.19(d)(4)			
73.19(e)(4)	67	1	0.07	4.5
73.19(f)(1)	Burden shown under Section 73.55(a)(1)			
73.19(f)(2)(i)	Burden shown under Section 73.55(a)(1)			
73.19(f)(2)(ii)	Burden shown under Section 73.55(a)(1)			
73.19(f)(2)(iii)	Burden shown under Section 73.55(a)(1)			
73.19(f)(2)(iv)	67	1	13.33	893.3
73.19(f)(3)	Burden shown under Section 73.55(a)(1)			
73.55(a)(1)	87	1	62.23	5,414.3
73.55(b)(4)	65	1	26.67	1,733.3
73.55(c)(3)	Burden shown under Section 73.55(a)(1)			
73.55(d)(5)(iii)	65	1	26.67	1,733.3
73.55(d)(5)(vi)	Burden shown under Section 73.55(d)(5)(iii)			
73.55(e)(1)	Burden shown under Section 73.55(a)(1)			
73.55(f)(1)	Burden shown under Section 73.55(b)(4)			
73.55(f)(4)	Burden shown under Appendix C, II.(i)(1)			

73.55(g)(4)(ii)	Burden shown under Section 73.55(b)(4)			
73.55(g)(7)(i)(A)	Burden shown under Section 73.55(b)(4)			
73.55(h)(2)	65	1	2.67	173.3
73.55(i)(5)	Burden shown under Section 73.55(b)(4)			
73.55(i)(6)	Burden shown under Section 73.55(b)(4)			
73.55(i)(8)(v)	Burden shown under Section 73.55(b)(4)			
73.55(j)(2)	Burden shown under Section 73.55(a)(1)			
73.55(j)(6)	Burden shown under Section 73.55(b)(4)			
73.55(k)(1)(iii)	Burden shown under Section 73.55(a)(1)			
73.55(k)(3)(i)(A)	Burden shown under Section 73.55(a)(1)			
73.55(k)(3)(ii)(B)	Burden shown under Section 73.55(a)(1)			
73.55(k)(4)	Burden shown under Section 73.55(a)(1)			
73.55(k)(5)	Burden shown under Appendix C, II.(i)(1)			
73.55(l)(3)(i)	Burden shown under Section 73.55(a)(1)			
73.55(l)(3)(vi)	0	1	26.67	0
73.55(m)(1)	65	1	26.67	1,733.3
73.55(m)(2)	Burden shown under Section 73.55(m)(1)			
73.55(m)(3)(i)	Burden shown under Section 73.55(m)(1)			
73.55(m)(3)(ii)	Burden shown under Section 73.55(m)(1)			
73.55(m)(4)(i)-(iii)	Burden shown under Section 73.55(m)(1)			

Section	No. of Recordkeepers [a]	No. of Records per Recordkeeper [b]	Time Hours per Recordkeeper [c] [b x # of hours]	Total One Time Burden [a x c]
73.55(m)(6)	Burden shown under Section 73.55(m)(1)			
73.55(o)(1)(ii)	Burden shown under Section 73.55(a)(1)			
73.55(o)(8)	Burden shown under Section 73.55(a)(1)			
73.55(s)	Burden shown under Section 73.58(a)(1)-(2)			
73.56(a)(1)-(a)(2)	68	1	13.33	906.7
73.56(a)(6)	3	1	26.67	80
73.56(b)	Burden shown under Section 73.56(a)(1)			
73.56(m)(5)	Burden shown under Section 73.55(b)(4)			
73.56(n)(4)	68	1	26.67	1,813.3
73.58(a)(1)-(2)	65	1	29.17	1,895.8
Appendix B, VI.E.1.b.(2)	65	4	0.27	17.3
Appendix B, VI.E.1.d.	Burden shown under Section 73.55(a)(1)			
Appendix B, VI.F.3.	Burden shown under Section 73.55(a)(1)			
Appendix B, VI.G.3.a	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(b)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(c)(2)(iii)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(c)(2)(v)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(d)(3)(iv)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(e)(1)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(e)(2)(i)(A)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(e)(4)(ii)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(g)(3)-(4)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(h)(2)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(h)(4)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(h)(5)	Burden shown under Section 73.55(a)(1)			
Appendix C, II.(j)(2)	65	1	26.67	1,733.3
Appendix C, II.(n)(1)	65	1	26.67	1,733.3
Total				84,189.5

Table 2
10 CFR Part 73 Estimated Annual Recordkeeping Burden

Section	No. of Recordkeepers [a]	No. of Records per Recordkeeper [b]	Annual Hours per Recordkeeper [c] [b] x [# of hours]	Total Annual Burden [a] x [c]
73.18(e)(2)	Burden cleared under NRC Form 754, OMB Clearance No. 3150-xxxx			
73.18(o)(6)	67	15	3	201
73.55(b)(6)	Burden shown under Appendix C, II.(l)(1)			
73.55(b)(8)	65	12	48	3,120
73.55(e)(7)(iv)	65	1	20	1,300
73.55(g)(2)(iv)	Burden shown under 73.56(o)			
73.55(g)(6)(i)(C)	65	1	48	3,120
73.55(g)(6)(ii)(B)	65	1	48	3,120
73.55(k)(5)	Burden shown under Appendix C, II.(i)(1)			
73.55(l)(3)(vii)	0	1	0.20	0
73.55(m)(3)(ii)	65	1	10	650
73.55(n)(4)	65	1	24	1,560
73.55(n)(5)	Burden shown under Appendix C, II.(l)(2)(iv)			
73.55(n)(7)	Burden shown under Section 73.55(b)(8)			
73.55(o)(1)(iii)	Burden shown under Section 73.55(b)(8)			
73.55(q)(1)(i)	Burden shown under Section 73.55(q)(3)			
73.55(q)(1)(ii)	Burden shown under Section 73.55(q)(3)			
73.55(q)(3)	65	0.06	0.25	16
73.55(r)(2)	Burden shown under each relevant proposed requirement			
73.56(a)(6)	3	1	8	24
73.56(d)(1)	68	15	3	204
73.56(d)(1)(ii)	68	0.07	0.13	9
73.56(d)(3)	68	15	3	204
73.56(d)(4)(iv)	68	1	48	3,264
73.56(d)(vi)	Burden shown under 73.56(d)(4)(iv)			
73.56(f)(2)(ii)	68	120	24	1,632
73.56(i)(1)(v)(A)	68	24	24	1,632
73.56(k)	68	5	40	2,720
73.56(m)(5)	Burden shown under Appendix C, II.(j)(2)			
73.56(n)(2)	68	1	40	2,720
73.56(n)(6)	65	1	48	3,120

73.56(n)(7)(iii)	Burden shown under 73.56(n)(6)			
73.56(o)	65	1	40	2,600
73.56(o)(2)(i)	Burden shown under 73.56(o)			
73.56(o)(2)(ii)	Burden shown under 73.56(o)			
73.56(o)(3)(i)	Burden shown under 73.56(o)			
73.56(o)(3)(ii)	Burden shown under 73.56(o)			
73.56(o)(4)	Burden shown under 73.56(o)			
73.56(o)(5)	Burden shown under 73.56(o)			
73.56(o)(6)	Burden shown under 73.56(o)			
73.58(a)(1)-(2)	65	12	96	6,240
Appendix B, VI.C.2.b.	65	15	3	195
Appendix B, VI.E.1.b. (2)-(3)	Burden shown under Appendix B, VI.E.1.b.(4)			
Appendix B, VI.E.1.b. (4)	65	4	0.8	52
Appendix B, VI.E.1.f.	65	120	96	6,240
Appendix C, II.(i)(1)	65	1	10	650
Appendix C, II.(j)(2)	65	1	8	520
Appendix C, II.(l)(1)	65	1	10	650
Appendix C, II.(l)(2)	Burden shown under Appendix C, II.(l)(1)			
Appendix C, II.(l)(2) (iii)	Burden shown under Appendix C, II.(l)(2)(iv)			
Appendix C, II.(l)(2) (iv)	65	5	50	3,250
Appendix C, II.(l)(2)(v)	Burden shown under Appendix C, II.(l)(2)(iv)			
Appendix C, II.(l)(6)	Burden shown under Appendix C, II.(l)(2)(iv)			
Total				49,013

Table 3
10 CFR Part 73 Estimated One-Time Reporting Burden

Section	No. of Respondents	Responses per Respondent	Number of Responses	Annualized Burden Hours per Response	Total Burden Hours
73.18(e)(1)	Burden cleared under NRC Form 754, OMB Clearance No. 3150-xxxx				
73.18(f)	Burden cleared under NRC Form 754, OMB Clearance No. 3150-xxxx				
73.18(o)(1)	67	120	8,040	0.07	536
73.18(o)(2)	Burden shown under Section 73.18(o)(1)				
73.18(o)(5)(i)	Burden shown under Section 73.18(o)(1)				
73.19(b)	67	1	67	2.67	178.7
73.19(d)(1)	Burden shown under Section 73.19(b)				
73.19(d)(3)	67	1	67	.07	4.7
73.19(e)(1)-(2)	Burden shown under Section 73.19(b)				
73.19(e)(4)	67	1	67	0.11	7.4
73.19(f)(4)	Burden shown under Section 73.55(a)(1)				
73.55(a)(1)	87	1	87	0.33	29
73.55(a)(2)	Burden shown under Section 73.55(a)(1)				
73.55(t)(2)	65	1	65	0.33	21.7
73.55(t)(3)	Burden shown under Section 73.55(t)(2)				
73.56(a)(1)-(a)(2)	65	1	65	0.33	21.7
Appendix B, VI.F.2.	65	1	65	0.33	21.7
Total			8,523		820.9

Table 4
10 CFR Part 73 Estimated Annual Reporting Burden

Section	No. of Respondents	Responses per Respondent	Number of Responses	Burden Hours per Response	Total Annual Burden Hours
73.18(e)(1)	Burden cleared under NRC Form 754, OMB Clearance No. 3150-xxxx				
73.18(f)	Burden cleared under NRC Form 754, OMB Clearance No. 3150-xxxx				
73.18(h)	67	2	134	0.2	26.8
73.18(j)	134	1	134	0.2	26.8
73.18(m)	67	1	67	0.2	13.4
73.18(o)(1)	67	15	1,005	0.2	201
73.18(o)(2)	Burden shown under Section 73.18(o)(1)				
73.18(o)(4)	67	0.75	50.25	0.2	10.1
73.18(o)(5)(i)	Burden shown under Section 73.18(o)(1)				
73.18(p)	67	1	67	80	5,360
73.19(j)	67	1	67	1	67
73.55(e)(9)(iv)	65	3	195	1	195
73.55(g)(4)(iii)	Burden shown under Section 73.55(e)(9)(iv)				
73.56(d)(1)	68	15	1,020	0.2	204
73.56(d)(1)(i)	Burden shown under Section 73.56(d)(1)				
73.56(d)(1)(iii)	Burden shown under Section 73.56(d)(1)				
73.56(d)(2)(i)	1,020	1	1,020	4	4,080
73.56(d)(4)(v)	68	10	680	0.5	340
73.56(e)(5)	68	1.5	102	0.2	20
73.56(f)(3)	68	1.2	81.6	0.2	16
73.56(g)	68	1.5	102	0.2	20
73.56(i)(1)(v)(D)	68	1.2	81.6	0.2	16
73.56(m)(3)	68	1.2	81.6	0.5	41
73.56(n)(6)	68	1	68	0.5	34
73.56(n)(7)(iii)	Burden shown under 73.56(n)(6)				
73.58(b)	65	12	780	1	780
73.71(a)	65	4	260	0.08	21.7
73.71(d)	65	5.97	388	0.08	31
73.71(g)(1)	65	4	260	0.33	85.8
Appendix C, II.(j)(3)(i)	Burden shown under Section 73.55(e)(9)(iv)				
Appendix G, I.(a)	Burden shown under Section 73.71(a) and (g)(1)				
Appendix G, III.(a)-	Burden shown under Section 73.71(d)				

(b)					
Total			6,644		11,589.6

Number of responses: 15,167 (8,523 annualized one-time + 6,644 annual responses)

Number of recordkeepers: 65 to 68 depending on the requirement, plus the decommissioning licensees for § 73.55(a)(1).

Recordkeeping Burden: 133,202.5 hours (84,189.5 hours annualized one-time + 49,013 hours annual recordkeeping burden)

Reporting Burden: 12,410.5 hours (820.9 hours annualized one-time + 11,589.6 hours annual reporting burden)

Total Burden: 145,613 hours (133,202.5 hours recordkeeping + 12,410.5 hours reporting)