

FINAL OMB SUPPORTING STATEMENT  
FOR  
10 CFR PART 100

REACTOR SITE CRITERIA  
(OMB Clearance No. 3150-0093)

*Extension with Burden Update*

DESCRIPTION OF THE INFORMATION COLLECTION

The Nuclear Regulatory Commission's (NRC=s) regulations, 10 CFR Part 100, "Reactor Site Criteria," establish approval requirements for proposed sites for the purpose of constructing and operating stationary power and testing reactors. These requirements apply to applicants who apply for an early site permit, design certification, or combined license or a construction permit or operating license on or after January 10, 1997.<sup>1</sup>

This clearance is necessary since the NRC is expecting approximately 13 combined license applications and three early site permit application over the next three years. The applicants must provide information about the physical characteristics of the site in addition to the potential for natural phenomena and man-made hazards. This includes information on geologic hazards (such as faulting, seismic hazards, and the maximum credible earthquake) and factors such as population density, the proximity of man-related hazards, and site atmospheric dispersion characteristics. The NRC staff reviews the submitted information and, if necessary, generates a request for additional information. The staff meets with the applicant and conducts a site visit to resolve any open issues. When the open issues have been resolved, the staff writes the final Safety Evaluation Report which is published and used as a basis for the remainder of the NRC licensing process. This process usually takes about 12 years.

A. JUSTIFICATION

1. Need for and Practical Utility of the Information Collection

In support of the agency=s mission regarding adequate protection of the health and safety of the public from natural phenomena and man-made hazards, the NRC needs the requested information to assess the adequacy of proposed design bases for natural phenomena and man-made hazards for nuclear power plants. It is submitted to the NRC as part of the application and supporting documentation for a construction permit, operating license, early site permit, design certification, or combined license for a nuclear power plant.

2. Agency Use of Information

The NRC reviews the physical characteristics of the site in addition to the potential for natural phenomena and man-made hazards to determine the suitability of the proposed site for a nuclear power plant and the suitability of the plant design bases established on the proposed site. A construction permit, early

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<sup>1</sup> Appendix A to Part 100 continues to serve as the criteria for the seismic and geologic siting and earthquake engineering for plants licenses or granted their construction permit before January 10, 1997.

site permit, standard design certification, combined license, or operating license cannot be issued until these data have been reviewed and approved by the NRC.

New information regarding the potential for natural phenomena and man-made hazards that becomes known during the operating life of the plant is also evaluated on the basis of these criteria.

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. The uniqueness and volume of information in an application makes it difficult to reduce the burden through the use of information technology.

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 on-going program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

All pertinent information concerning a nuclear plant and the region around the site will be used in the analysis of that site, whether it is supplied by the applicant or not. The availability of information concerning the potential for natural phenomena and man-made hazards may reduce the applicant's efforts related to site investigation.

5. Effort to Reduce Small Business Burden

The requirements in 10 CFR 100 apply to applicants who apply for an early site permit, design certification, or combined license or a construction permit or operating license. These applicants are large entities, such as electric utilities, who do not meet the definition of a small business.

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

An applicant is only required to report the information if it seeks to obtain approval for a proposed site for the purpose of constructing and operating a stationary power or testing reactor. Less frequent collection of information will result in serious delays in the licensing processes of nuclear power plants or potential additional risks to the health and safety of the public.

7. Circumstances Which Justify Variation from OMB Guidelines

There is no variation from the guidelines.

8. Consultations Outside the NRC

The NRC consulted with four (4) applicants regarding the estimated burden for the information collections contained in this document. Three of these applicants are preparing to submit combined operating license (COL) applications and one applicant is preparing to submit an early site permit (ESP) application. The burden for completing a COL and ESP applications are similar since both of the applications have the same requirements regarding non-seismic siting criteria and geologic and seismic siting criteria. The NRC and the applicants are in agreement and the estimates are reflected in this package.

An opportunity to comment on the information collection requirements has been published in the Federal Register on March 3, 2008 (73 FR 11447). No comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

No confidential information is required, except for proprietary information which would be handled in accordance with 10 CFR 2.390 of NRC's regulations.

11. Justification for Sensitive Questions

Not applicable.

12. Estimate of Industry Burden and Burden Hour Cost

Over the next three years, the NRC expects 16 applications for an average of 5.3 applications per year. For each application, the estimated burden for Section 100.21 (Non-seismic siting criteria) is 22,000 hours and for Section 100.23 (Geologic and seismic siting criteria) is 51,000 hours. Thus, the total burden for collecting and reporting information concerning the potential for natural phenomena and man-made hazards at a proposed nuclear power plant site is estimated at 73,000 hours per application. These estimates assume that 30 percent of the total burden hours are associated with non-seismic siting criteria and 70 percent are associated with geologic and seismic siting criteria.

Annually, the total estimated burden is 389,090 hours (73,000 hours per application x 5.33 applications) and the total estimated cost is \$100,385,220 (389,090 hours x \$258). See Table 1.

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annual Cost to the Federal Government

Staff review of information concerning potential natural phenomena and man-made hazards for a proposed nuclear power plant site is estimated at approximately 5,000 hours per application, for an estimated annual cost of \$6,875,700 (5,000 hrs x 5.33 applications x \$258/hr).

This cost is fully recovered through fee assessments to NRC applicants pursuant to 10 CFR Part 170 and/or 171.

15. Reasons for Change in Burden

The total burden estimate for this information collection has increased from 8,711 hours annually to 389,090 hours annually, an increase of 380,379 hours. The increase is due to two factors:

- The estimate for the number of hours to complete an application has increased by 46,187 hours as a result of consultations with applicants who are preparing to submit applications within the next three years. Previously, the total burden estimate was 26,813 hours per application and was based on information from three applicants whose estimated burden ranged from 9,000 hours to 50,000 hours. The current total burden estimate is 73,000 hours per application and is based on estimates from four applicants whose estimated burden ranged from 64,000 hours to 90,000 hours.

The burden used in the previous submission was based on the best information available from applicants at that time; however, because the applicants had not yet started work on the application, the amount of time needed to complete the requirement may have been underestimated. In 2008, many applicants are now closer to submitting the applications to the NRC; therefore, better estimates of the time required to complete an application are available. The NRC feels that the burden estimate of 73,000 hours per application is more accurate than the previous estimate.

- The previous burden for this information collection was based on the anticipated submission of a single application in three years, whereas the current burden is based on the anticipated submission of 16 applications over the course of three years.

As stated above, in the previous submission of this information collection, it was estimated that one application would be received. During this period, the NRC received 9 applications. Although the NRC's estimate was low, the agency was effectively prepared to review these applications through the creation of the Office of New Reactors (NRO). NRO issued Regulatory Issue Summary (RIS) 2007-08, on April 16, 2007, to obtain updated information regarding the scheduling of ESP, COL, and DC application submissions.<sup>2</sup> In addition, NRO

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<sup>2</sup> The burden associated with voluntary responses to RIS 2007-08 has previously been approved by OMB under control number 3150-0151, 10 CFR Part 52, Early Site Permits; Standard Design Certification and

maintains continuous communication with potential applicants on a series of issues including more accurate application dates. Based on the RIS responses and interface with industry, the NRC believes that the current estimate of 16 applications over the next three years is accurate.

In addition, there has been an increase in the overall cost as a result of an increase in the rate from \$157 per hour to \$258 per hour.

16. Publication for Statistical Use

This information will not be published for statistical use.

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

Not applicable.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

10 CFR Part 100 allows for the acquisition of statistical data and the use of statistical methods, but does not require them.

**TABLE 1**  
**Annualized Reporting Burden**

Section	No. Of Respondents	Responses per Respondent	Total No. of Responses	Burden Hours per Response	Total Annual Reporting Burden (Hrs)
Non-seismic siting criteria (10 CFR 100.21)	5.33	1	5.33	22,000	117,260
Geologic and seismic siting criteria (10 CFR 100.23)	5.33	1	5.33	51,000	271,830
<b>TOTAL</b>	5.33	1	5.33	73,000	389,090

**TOTAL BURDEN HOURS:** 73,000 hours per respondent  
**TOTAL BURDEN HOUR COST:** \$100,385,220 (73,000 hrs per respondent x 5.33 respondents x \$258/hr)  
**ANNUAL RESPONDENTS:** 5.33 respondents