

**JUSTIFICATION FOR NO MATERIAL OR NONSUBSTANTIVE CHANGE
3150-0203**

In August of 2007, The Nuclear Regulatory Commission (NRC) amended its regulations to include jurisdiction over discrete sources of radium-226, accelerator-produced radioactive materials, and discrete sources of naturally occurring radioactive material, as required by the Energy Policy Act of 2005 (EPAct), which was signed into law on August 8, 2005. This provided a regulatory framework by which to license and regulate byproduct material in accordance with the new, expanded definition. The amended regulations impacted numerous existing NRC information collections. The NRC packaged all the impacted information collections under the amended regulations and submitted it to OMB as a new information collection, the final rule titled "10 CFR Parts 20, 30, 31, 32, 33, 35, 50, 61, 62, 72,110,150, 170, and 171, Requirements for Expanded Definition of Byproduct Material," (the "NARM rule"). OMB approved this collection and assigned control number 3150-0203.

In 2008, NRC submitted requests to transfer burden from the NARM rule clearance (3150-0203) to the following collections:

Affected Part/Form	OMB Clearance number
Part 20	3150-0014
Part 30	3150-0017
Part 31	3150-0016
Part 32	3150-0001
NRC Form 313 series	3150-0120

These requests were approved by OMB in October 2008.

NRC is submitting this "no material or nonsubstantive change to a currently approved collection" to move the remaining information collection burden in 3150-0203 to the appropriate existing clearances for Parts 19 and 35, and forms 4, 5, 314, and 664. NRC seeks to transfer all burden associated with these Parts from 3150-0203 to the previously approved clearance numbers for these Parts and forms. Following is a summary of the affected Parts and forms included in this nonsubstantive change request:

Affected Part/Form	OMB Clearance number
Part 19	3150-0044
Part 35	3150-0010
NRC Form 4	3150-0005
NRC Form 5	3150-0006
NRC Form 314	3150-0028
NRC Form 664	3150-0198

Currently, each Part and form has its own IC within the clearance for 3150-0203. The ICs included in this nonsubstantive change request are as follows:

- 10 CFR Part 19 (3150-0044)
- 10 CFR Part 35 (3150-0010 NRC Licensees)
- 10 CFR Part 35 (3150-0010 Agreement State Licensees)
- NRC Form 4 (3150-0005 NRC Licensees)

- NRC Form 4 (3150-0005 Agreement State Licensees)
- NRC Form 5 (3150-0006 NRC Licensees)
- NRC Form 5 (3150-0006 Agreement State Licensees)
- NRC Form 314 (3150-0028)
- NRC Form 664 (3150-0198 Agreement State Licensees)
- NRC Form 664 (3150-00198 NRC Licensees)

NRC seeks to change the burden and responses in clearance 3150-0203 for these 10 ICs to zero, and to add the hours and responses to the clearance numbers associated with each Part or form. For example, the IC in 3150-0203 for Part 19 would change from 330 responses and 432 hours to 0 responses and 0 hours; however, these responses and hours will be added to clearance 3150-0044 as part of the Part 19 clearance. As a result, this nonsubstantive change request will not change NRC's overall burden. (Please see the Excel spreadsheet submitted as Supplement 1 for more information about the hours transferred from 3150-0203 into each clearance.)

The no material or nonsubstantive change submissions for each Part or form contain additional information about the amended regulations and hours that will be added to each clearance.