

10 CFR PART 32, 83-C JUSTIFICATION FOR TRANSFER OF BURDEN

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, which OMB approved and assigned control number 3150-0203. NRC submitted an 83-C, “no material or nonsubstantive change to a currently approved collection” to move the approved information collection burden covered under part 32 in this collection to the NRC existing approved collection for 10 CFR Part 32, 3150-0001.

The initial 83-C submission was submitted on 5/14/08 and approved on 11/9/08, but contained a few errors, which are discussed below. The May submission had incorrectly split the total burden for the package of 179,188 hours into two separate information collections within the package (136,191 hours and 42,997 hours). When the renewal package submitted on 11/18/09 was opened for processing, it contained two separate ICs split into beginning balances of 136,191 hours and 42,997 hours. In the 83-C submitted on 5/14/08, the analyst had inadvertently created an additional IC for the burden transferred instead of incorporating the burden into the existing IC with a beginning balance of 136,191 hours. This error created problems for the renewal package which was submitted on 11/18/08. This 83-C will correct the second IC burden for 3150-0001, and transfer burden to one IC and remove the second IC. The corrected burden for the remaining IC (3150-0001) should be 179,188 hours.

This 83-C is being resubmitted because of procedural errors, per discussion with OMB and NRC on June 4, 2009.

Background – August 2007 Burden Change

The amended sections for 10 CFR 32 covered under 3150-0203, in which burden is being transfer are Section 32.72(a)(4); Section 32.72(b)(5); Section 32.72(c); and Section 32.74(a)(2)(viii). The justification for the changes to the above sections was outlined in the initial 83-C justification that was submitted on 5/14/08.

PART 32 Totals

Number of Responses:	220 (44 NRC + 176 Agreement State)
Number of Respondents:	110 (22 NRC + 88 Agreement State)
Total Burden Hours:	42,997 hours (8,599 NRC + 34,398 Agreement State)
Total Burden Hour Cost:	\$9,201,358 (\$1,840,186 NRC + \$7,361,172 Agreement State)