

FINAL SUPPORTING STATEMENT
FOR
NRC FORM 244
REGISTRATION CERTIFICATE - USE OF DEPLETED URANIUM
UNDER GENERAL LICENSE
(3150-0031)

EXTENSION

Description of the Information Collection

NRC regulations in 10 CFR Part 40 establish requirements for the issuance of licenses to receive title to, receive, possess, use, transfer, or deliver source and byproduct material. The regulations were issued pursuant to the Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974, the National Environmental Policy Act of 1969 (NEPA), and the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA) (all as amended). Section 40.25 establishes a general license authorizing the use of depleted uranium contained in industrial products or devices for mass-volume applications. Information regarding the first receipt or acquisition of depleted uranium must be submitted on NRC Form 244, "Registration Certificate – Use of Depleted Uranium Under General License," within 30 days of receipt of such depleted uranium.

A. Justification

1. Need for and Practical Utility of the Collection of Information

Section 40.25(c) requires persons to file NRC Form 244, "Registration Certificate - Use of Depleted Uranium Under General License," with the NRC within 30 days after first receipt of depleted uranium under the general license in Section 40.25(a) and to report any changes to the information on Form 244 within 30 days of the change. The purposes of the registration requirement are: (1) to provide means of identifying the general licensee, (2) to permit NRC to inform the general licensee of the terms and conditions of the general license upon first receipt of depleted uranium, and (3) to facilitate subsequent communication with the general licensee.

Section 40.25(d)(3) requires persons transferring depleted uranium to a transferee pursuant to the general license in Section 40.25(a) to furnish to the transferee a copy of Section 40.25 and a copy of Form 244, and if under the regulations of an Agreement State, an explanation of that fact. These documents inform the user of the need to register and other requirements of the general license. NRC has printed Section 40.25 on the back of Form 244, so that both requirements can be met by providing one piece of paper to the transferee, thus minimizing the burden for licensees.

Section 40.35(d) requires that licensees for such manufacture or initial transfer of depleted uranium furnish a copy of the general license contained in Section 40.25 and a copy of NRC Form 244, or the equivalent general license and certificate from an Agreement State, accompanied by an explanatory note, to each person to whom source

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

If the information is not collected, NRC will have no way to assess whether licensees are operating within the radiation safety requirements applicable to the possession, use, or transfer of source or byproduct material. Applications for new licenses are submitted only once and amendments are submitted as necessary. Applications for renewal of licenses are submitted every ten years. Information submitted in previous applications may be referenced without being resubmitted. The schedule for collecting the information is the minimum frequency necessary to assure that licensees will continue to conduct programs in a manner that will assure adequate protection of public health and safety.

7. Circumstances Which Justify Variation from OMB Guidelines

There are no variations from OMB guidelines.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the Federal Register on March 30, 2009 (74 FR 14163). No comments were received.

9. Payment or Gifts to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17 (a) and 10 CFR 2.390 (b)

11. Justification for Sensitive Questions

This information collection does not involve sensitive questions.

12. Estimated Burden and Burden Hour Cost

The total annual burden is estimated to be 23 hours to report the receipt and transfer of depleted uranium under general license as required by 10 CFR 40. The burden estimates are based on actual submittals to NRC in past years. The total cost for NRC Licensees and Agreement State Licensees would be \$5,474 (23 hours x \$238/hr). This rate is based on NRC's fully recoverable fee rate.

NRC Licensees:

4 respondents @ 1 response each @ 1 hour per response = 4 burden hours.

Agreement State Licensees:

19 respondents @ 1 response each @ 1 hour per response = 19 burden hours.

Total burden hours = 23 (4 NRC and 19 Agreement State Licensees).

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

The annual cost for the NRC to review NRC Form 244 is estimated to be 2 hours (.50 hours x 4 reports) x \$238/hour, or \$476. The majority of the cost for review of Form 244 is associated with review of information and certification regarding depleted uranium. These costs are fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Change in Burden

There was an overall increase of 18 hours in burden for this form from 5 hours to 23 hours. The total increase in burden is reflected by an increase from 2 to 4 hours for the NRC and from 3 to 19 hours for the Agreement State. The number of forms previously anticipated were surpassed and based on a review of actual submissions to date; staff has revised the burden estimates to more accurately reflect this trend.

The change in cost reflects an increased in the annual labor cost for material licensees from \$197 to \$238 per hour.

16. Publication for Statistical Use

Results will not be tabulated or published.

17. Reason for Not Displaying the Expiration Date

No exception is necessary, as the expiration date is displayed on NRC Form 244.

18. Exceptions to the Certification Statement

Not applicable.

B. Collection of Information Employing Statistical Methods

Not applicable.