

SUPPORTING STATEMENT

Standard Remittance Advice for Payment of Fees (NWSA-830R) OMB No. 1901-0260

This request is for the Office of Management and Budget (OMB) approval of a three-year extension of the Form NWSA-830R, "Appendix G - Standard Remittance Advice for Payment of Fees", including Annex A and Annex B to Appendix G.

The information collection proposed in this supporting statement has been reviewed in light of applicable information quality guidelines. It has been determined that the information will be collected, maintained, and used in a manner consistent with the OMB, the Department of Energy (DOE), and the Energy Information Administration (EIA) information quality guidelines.

A. Justification

1. Legal Authority

Authority for the collection of data comes from the Nuclear Waste Policy Act of 1982, 42 U.S.C. 10101 et seq., (Public Law 97-425). Sections 302 (a) and (c) state:

(a) CONTRACTS (1)...The Secretary is authorized to enter into contracts..[for the] disposal of such waste and spent fuel...; (6) the Secretary shall establish...the terms and conditions under which such disposal services shall be made available.

(c) ESTABLISHMENT OF NUCLEAR WASTE FUND - There hereby is established in the Treasury of the United States a separate fund, to be known as the Nuclear Waste Fund. The Waste Fund shall consist of--

(1) all receipts, proceeds, and recoveries realized by the Secretary under subsections (a), (b), (e), which shall be disposed in the Waste Fund immediately upon their realization.

2. Uses of the Data

Form NWSA-830R "Appendix G - Standard Remittance Advice for Payment of Fees," including Annex A and Annex B to Appendix G, are designed to serve as the source documents for entries into DOE accounting records to transmit data from Purchasers to the DOE concerning payment of their fees for spent nuclear fuel and high-level waste disposal into the Nuclear Waste Fund. The Remittance Advice (RA) must be submitted by Purchasers who signed the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste with the DOE.

3. Technological Considerations to Reduce Respondent Burden

The EIA continues to use information technology to improve reporting options. Beginning in 1999 the DOE distributed an automated software package to the NWPA-830R respondents to reduce their reporting burden. This computer-based system required the respondents to enter only data that changes from quarter to quarter. This system also provided computer-generated Remittance Advice forms in lieu of the four-part Appendix G and Annex A to Appendix G forms, which had been supplied as paper forms in the past. Though respondents are still required to print out and sign the hard copy Remittance Advice forms, the use of the automated software package greatly reduced the respondent burden. As respondents upgrade their computer systems, the EIA provides software upgraded to the version run on these systems.

4a. Efforts to Identify Data Duplication

As part of a continuing effort to avoid duplication, the EIA routinely reviews and evaluates information from a variety of sources, including other Federal agencies, industry trade associations, State governments, and commercial information services to identify instances of duplication. No alternative data sources or unnecessary duplication of data were identified.

4b. Analysis of Similar, Existing Information

No alternative data sources or unnecessary duplication of data were identified . Data collected on these forms are not available elsewhere.

5. Provisions for Reducing Burden on Small Businesses

This collection of information does not involve small businesses or other small entities.

6. Consequences of Less Frequent Reporting

The Form NWPA-830R and Annex A to Appendix G are required quarterly to ensure the accuracy of the quarterly fees collected under the Standard Contract and to minimize interest payments when errors are made. Annex B to Appendix G is required when a respondent makes a change to its one-time fee determination.

7. Compliance with 5 C.F.R. 1320.5

The data are being collected in accordance with all guidelines set forth in 5 C.F.R. 1320.5.

8. Consultation Outside the Agency

A Federal Register notice, (74 FR 12126) was published March 23, 2009, giving the public an opportunity to comment on the proposed three-year extension to the Form NWPA-830R, "Appendix G - Standard Remittance Advice for Payment of Fees". The Energy Information Administration (EIA) received no comments to the Federal Register notice.

9. Remuneration

There are no provisions for payments to respondents.

10. Provisions Regarding Confidentiality

The information is collected under the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste. In accordance with the terms of that contract, companies are allowed to mark any data supplied under the contract as "proprietary data." See 10 C.F.R. 961.11, Article XXI - Rights in Technical Data. Although a large part of the information furnished is publicly available, this information is not typically published by the Department of Energy. If a request for the information is received, to the extent that information is not in the public domain or has been marked as "proprietary data," the procedures listed below will be followed.

The Office of Legal Counsel of the Department of Justice concluded on March 20, 1991, that the Federal Energy Administration Act requires the Energy Information Administration to provide company-specific data to the Department of Justice, or to any other Federal agency when requested for official use, which may include enforcement of Federal law. The information contained on this form may also be made available, upon request, to another component of the Department of Energy; to any Committee of Congress, the Government Accountability Office, or other Congressional agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order.

The information contained on this form will be kept confidential and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Acts, 18 U.S.C. §1905.

Upon receipt of a request for this information under the FOIA, the DOE shall make a final determination whether the information is exempt from disclosure in accordance with the procedures and criteria provided in the regulations. To assist us in this determination, respondents should demonstrate to the DOE that, for example, their information contains trade secrets or commercial or financial information whose release would be likely to cause substantial harm to their company's competitive position. A letter accompanying the submission that explains (on an element-by-element basis) the reasons why the information would be likely to cause the respondent substantial competitive harm if released to the public would aid in this determination. A new justification does not need to be provided every time information is submitted on the form if the company has previously submitted a justification for that information and the justification has not changed.

11. Questions of a Sensitive Nature

There are no questions of a sensitive nature in these data collections.

12. Estimate of Respondent Burden

<u>Form</u>	<u>No. of Respondents</u>	<u>No. of Reports Filed Annually</u>	<u>Total</u>	<u>Hours/Responses</u>	<u>Total Response</u>	<u>Hours</u>
NWPA-830R	104			4	416	5
				2,080		
			Total Annual Burden			2080 hours

13. Total Annual Cost Burden to Respondents

There are no capital, start-up, or operating and maintenance costs to respondents beyond the cost of the hours described in Item 12. Total annual cost burden is estimated to be \$130,000. (\$62.50/hour x 2,080 hours).

An average cost per hour of \$62.50 is used because that is the average loaded (salary plus benefits) cost for an EIA employee assigned to data survey work. EIA assumes that the survey respondent workforce completing surveys for EIA is comparable with the EIA workforce.

14. Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government for the Form NWPA-830R, including Annex A and Annex B to Appendix G is \$350,000. The cost figure includes (1) Development and Maintenance Cost, (2) Collection Costs, (3) Processing Costs, (4) Analysis Costs, (5) Publication Cost, and (6) Other Costs (Office of the Chief Financial Officer, Office of Financial Control and Reporting).

15. Changes in Respondent Burden

It is estimated that there will be a decrease of 452 hours (adjustment) in the total respondent burden for the Form NWPA-830R, "Appendix G – Standard Remittance Advice for Payment of Fees" from 2,532 hours/year to 2,080 hours/year. The reduction in burden hours is attributable to the elimination of reporting requirements for permanently shutdown reactors.

16. Schedule for Information Collection and Publication

The Form NWPA-830R, Appendix G is filed quarterly covering assigned three-month periods. The form is due no later than the last business day of the month following an assigned three-month period. The data in these collections will not be published.

17. Expiration Date

The expiration date will be included on the forms.

18. Exceptions to Certification Statement

There are no exceptions to the Certification Statement.

B. Collection of Information Employing Statistical Methods

1. Respondent Universe

All owners and operators of commercial nuclear reactors will be providing data. Therefore, no statistical sample methods will be employed.

2. Procedures for Collecting the Information

The regulations cited previously are the basis for this data collection.

3. Methods to Maximize Response Rates

Response rates have historically been 100 percent. Telephone calls will be used if necessary to ensure receipt of all forms.

4. Tests or Procedures

These collections have been ongoing since July 31, 1983; therefore, no additional tests or procedures are necessary.

5. Name and Telephone Number of Individual

Tom Murphy of the Office of Coal, Nuclear, Electric and Alternate Fuels (CNEAF), EI-52,

Energy Information Administration (EIA), U.S. Department of Energy (DOE), Washington, DC 20585 is the contact person regarding this information. He may be contacted by phone at (202) 586-1517 or by email at Thomas.Murphy@eia.doe.gov.