

FINAL SUPPORTING STATEMENT FOR
NRC FORM 748
ANATIONAL SOURCE TRACKING TRANSACTION REPORT@

(OMB CLEARANCE NO. 3150-0202)

EXTENSION

Description of the Information Collection

As a result of the terrorist attacks in the U.S. on September 11, 2001, the U.S. Nuclear Regulatory Commission (NRC) reviewed nuclear material security requirements, with particular focus on radioactive material of concern. Based on the findings of its review, the NRC amended its regulations in 2006 to implement a program called the National Source Tracking System (NSTS). Under this program, licensees are required to report information on the manufacture, transfer, receipt, and disposal of nationally tracked sources. This information is used to maintain the National Source Tracking System and will provide the NRC with a cradle-to-grave account for these sources and, thus, improve accountability and controls over them. The transaction information is collected using NRC Form 748, ANational Source Tracking Transaction Report.@ The data elements contained on this form represent the minimum information necessary to track the nationally tracked sources from cradle to grave to ensure that all such sources continue to be accounted for.

A. Justification

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

There is broad U.S. Government and international interest in tracking radioactive sources to improve accountability and control. Prior to implementation of the NSTS, there was no single U.S. source of information to verify the authorized users, locations, quantities and movement of these materials. Separate NRC and Agreement State systems tracked licensees and the maximum amounts of materials they are authorized to possess but did not record actual sources or their movements. National source tracking is part of a comprehensive radioactive source control program for radioactive materials of greatest concern. Although a national source tracking system can not insure the physical protection of sources, it provides greater source accountability. A national source tracking system in conjunction with other controls will result in improved security for sealed sources. In addition, the National Source Tracking System fulfills a U.S. Government commitment to the International Atomic Energy Agency *Code of Conduct on the Safety and Security of Radioactive Sources*.

Section 20.2207(a) requires manufacturers of any nationally tracked source to complete NRC Form 748 or by other means specified in the rule. The report must include the source information such as make, model, serial number, radionuclides, activity, and manufacture date. The report also includes the licensee name, address, and license number and the name of the individual that prepares the report. This information is needed to monitor on a timely

basis the location and manufacture of new nationally tracked sources.

Section 20.2207(b) requires licensees to report the transfer of any nationally tracked source to another person on NRC Form 748 or by other means specified in the rule. The report must include the source information such as the make, model, serial number, radionuclides, source strength, and the date recorded; the transfer information including the name, shipping address, and license number of the recipient; the shipping date; and estimated arrival date. The report also includes the licensee name, address, and license number and the name of the individual that prepares the report. If applicable, the report should include the Uniform Low-Level Radioactive Waste Manifest number and the container identification. This information is needed to monitor on a timely basis the location and transfer of the nationally tracked sources.

Section 20.2207(c) requires licensees to report the receipt of any nationally tracked source on NRC Form 748 or by other means specified in the rule. The report must include the source information such as the make, model, serial number, radionuclides, source strength, and date recorded; the name and license number of the person that provided the source; and the receipt date. The report also includes the licensee name, address, and number and the name of the individual that prepares the report. If applicable the report should include the Uniform Low-Level Radioactive Waste Manifest number and the container identification. This information is needed to monitor on a timely basis the location and receipt of the nationally tracked sources.

Section 20.2207(d) requires licensees to report the disassembly of any nationally tracked source on NRC Form 748 or by other means specified in the rule. The report must include the source information such as the make, model, serial number, radionuclides, source strength, and date recorded; the name and license number of the person that provided the source; and the receipt date. The report also includes the licensee name, address, and number and the name of the individual that prepares the report. This information is needed to monitor on a timely basis the status of the nationally tracked sources.

Section 20.2207(e) requires licensees to report the disposal of any nationally tracked source on NRC Form 748 or by other means specified in the rule. The report must include the Uniform Low-Level Radioactive Waste Manifest number, the container identification, the date of and method of disposal. The report also includes the licensee name, address, and number and the name of the individual that prepares the report. This information is needed to know the final dispensation of a nationally tracked source.

Section 20.2207(g) requires licensees to correct errors in previously filed reports or file any missed transaction reports within 5 business days of the discovery. The section also requires licenses to reconcile and verify the inventory of nationally tracked sources possessed by the

licensee against the licensee's data in the National Source Tracking System on an annual basis. This verification is necessary to maintain the accuracy and reliability of the system over time. The burden to correct errors and file missed transaction reports is included in the clearance package for NRC Form 748, clearance number 3150-0202. The burden to conduct an annual reconciliation with the NSTS database is included in the clearance package for 10 CFR Part 20, clearance number 3150-0014.

Section 20.2207(h) requires licensees to report their initial inventory of nationally tracked sources to the National Source Tracking System. Category 1 sources must be reported by March 15, 2007 and Category 2 sources must be reported by March 30, 2007. The initial report must include the source information such as make, model, serial number, reported. The report also includes the licensee name, address, and number and the name of the individual that prepares the report. This information will populate the National Source Tracking System and form the baseline for the system. This is a one-time collection that was included in the clearance package for 10 CFR Part 20, clearance number 3150-0014.

Section 32.201 requires licensees who manufacture nationally tracked sources after the effective date of the rule to assign a unique serial number to each nationally tracked source. Manufacturers already do this; however, the rule will mandate it. In order to track the movement of sources, a unique way to identify the specific source is necessary. The National Source Tracking System will use the combination of the manufacturer, model, and the serial number to track the sources. This requirement is included in the clearance package for 10 CFR Part 32, clearance number 3150-0001.

2. Agency Use of the Information

The NRC will use the information to identify licensees that possess nationally tracked sources so they can be contacted or inspected, to better understand and monitor the location and movement of high-risk sealed sources, to protect public health and safety, and to promote and maintain the common defense and security.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection through the use of information technology. In fact, the NRC encourages licensees to use information technology when it would be beneficial to them. NRC issued a regulation on October 10, 2003 (68 FR 58792) 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 interfaces, or other means.

It is anticipated that 90 percent of the licensees that possess nationally tracked

sources would submit their nationally-tracked source transaction information electronically.

4. Effort to Identify Duplication and Use Similar Information

Some information on plutonium and thorium would be collected by both the Nuclear Materials Management Safeguards System (NMMSS) and the National Source Tracking System. The current regulations require reporting transfers, receipts, and inventory to NMMSS for one gram or more of plutonium (Pu) and any thorium (Th) that has foreign obligations. However, because NMMSS does not collect information at the item level, information (e.g., make, model, serial number, source strength) on sealed sources would not be reported to NMMSS. Therefore, the NRC would not be able to extract the information for the National Source Tracking System from NMMSS.

Conversely, the National Source Tracking System contains information only on nationally tracked sources and not information on sources that are not considered sealed or on any bulk material that a licensee may possess. Therefore, the NRC is not able to extract information from the National Source Tracking System to support NMMSS. Neither system would be able collect the needed information for the other system without modifications to the database and the regulations.

In practice, the NRC has found that nationally-tracked Pu and Th sealed sources are typically held by licensees for long time periods and are not routinely transferred to other licensees, so incidences of double-reporting are expected to be rare. Only 10 licensees have indicated that they possess Pu or Th sources that will need to be reported to the National Source Tracking System. The NRC does not believe that the limited number of licensees and transactions likely to be affected by this dual reporting requirement would impose an unnecessary burden. The NMMSS and the National Source Tracking System would collect information on these isotopes but in different formats and with different levels of detail as needed by each system.

5. Effort to Reduce Small Business Burden

While some licensees who possess nationally tracked sources are small businesses, the concerns associated with the safe and secure use of nationally tracked sources are the same for large and small entities. It is not possible to reduce the burden on small businesses by less frequent or less complete reporting or control procedures while maintaining the required level public health and safety of common defense and security.

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

If the information is not collected, the NRC will have no way to identify licensees that possess nationally tracked sources or monitor the location and movement

of the sources.

Required reports are collected and evaluated on a continuing basis as transactions and events occur. The schedule for collecting the information is the minimum frequency necessary to monitor the location and movement of nationally tracked sources from a security standpoint and ensure that the information in the National Source Tracking System is accurate and up-to-date.

7. Circumstances Which Justify Variation from OMB Guidelines

Contrary to OMB Guidelines in 5 CFR 1320.5(d)(2), sections 20.2207(a) through (d) and 150.18(a) through (d) require licensees to complete and submit a National Source Tracking Source Transaction Report by the close of the next business day after the transaction. Sections 20.2207(f) and 150.18(f) require licensees to correct errors and file reports for any missed transaction with 5 business days. This information collection frequency is necessary to monitor the current location of nationally tracked sources from a security standpoint and ensure that the information in the National Source Tracking System is accurate and up-to-date.

8. Consultations Outside the NRC

The opportunity for public comment on the information collection requirements for this clearance package was published in the Federal Register on March 23, 2009 (74 FR 12154). 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). Some licensing information normally considered confidential or proprietary is, on occasion, requested through the Freedom of Information Act authorized by 5 U.S.C. 552(a)(3).

The information reported to the National Source Tracking System will be Official Use Only, which is a category assigned to NRC unclassified sensitive information. Licensees will only have access to their own information. The information will be withheld from public disclosure.

11. Justification for Sensitive Questions

This information collection does not contain sensitive questions.

12. Estimated Burden and Burden Hour Cost

The estimated annual burden to licensees under NRC Form 748 is estimated to be 412.4 hours at a cost of \$98,151 (412.4 hours x \$238/hour). The burden varies by reporting mechanism. For on-line transactions the burden is estimated to be 302.8 hours (1,781 reports at 0.17 hours per report); for computer-readable formats 45.6 hours (570 reports at 0.08 hours per report); by mail or fax 56 hours (224 reports at 0.25 hours per report); and by telephone 3.6 hours (12 reports at 0.3 hours per report). Additionally, the burden estimate for correcting errors on previously filed reports is 4.4 hours (26 reports at 0.17 hours per report). We estimate that a total of 2,613 responses would be filed by 1,350 respondents (350 NRC licensees and 1,000 Agreement State licensees). We estimate that 1 percent or 26 of the responses would need to be corrected.

13. Estimate of Other Additional Costs

The NRC estimates that licensees would experience an annual cost of about \$503 in faxing, mailing, and telephone call costs.

The NRC considers Internet access to be a standard business practice. Therefore, the cost associated with the purchase of Internet access services is not considered an incremental cost to licensees.

14. Estimated Annualized Cost to the Federal Government

Estimated operational cost of operating the National Source Tracking System is \$3,000,000 per year. This cost was calculated by multiplying the current fee rate of \$238/hr by the total number of hours (12,605) that the NRC estimates it will expend annually to process data in the NSTS. This estimate includes the cost of automated data processing (ADP), record holding, and clerical processing of NRC Form 748.

15. Reasons for Change in Burden

The previous burden for this collection was 5,753.6 hours and 2,781 responses. The burden is expected to decrease to 412.4 hours and 2,613 responses (a reduction of 5,341.17 hours and 168 responses). The reduction in the burden hours is due to:

- The completion of a one-time recordkeeping burden for 200 licensees to complete internal IT programming allowing for computer batch submittal of an electronic NRC748 facsimile-type resulted in a burden savings of 16,000 total hours. This has resulted in a projected savings of 5,333 hours and 67 recordkeeping responses annually. This savings has been subtracted from the current burden.
- Due to increased use of computer batch submittal of NSTS information, the number of computer-readable format submissions submitted on NRC form 748 is expected to decrease from 670 to 570 annually, a reduction of 8 hours and 100 responses.
- Also, due to respondents becoming more familiar with the NSTS system, the estimate for the number of corrections decreased from 27 to 26, a reduction of .17 hours and 1 response.

In addition, the fee rate has increased from \$197 to \$238 per hour.

16. Publication for Statistical Use

The information requested will not be published for statistical use.

17. Reason for Not Displaying the Expiration Date

The clearance expiration date is displayed on NRC Form 748, and no exemption for displaying the expiration date is requested at this time..

18. Exceptions to the Certification Statement

None.

B. Collection of Information Employing Statistical Methods

Not applicable.

