

FINAL OMB SUPPORTING STATEMENT
FOR
10 CFR PART 72
LICENSE AND CERTIFICATE OF COMPLIANCE TERMS
FINAL RULE
OMB 3150-0132
REVISION

Description of the Information Collection

The Nuclear Regulatory Commission (NRC) regulations in 10 CFR Part 72 establish requirements, procedures, and criteria for the issuance of licenses to receive, transfer, and possess power reactor spent fuel and other radioactive materials associated with spent fuel storage, in an independent spent fuel storage installation (ISFSI). The regulations also establish requirements, procedures and criteria for the issuance of licenses to the Department of Energy (DOE) to receive, transfer, package, and possess power reactor spent fuel, high-level radioactive waste, power reactor-related greater than Class C (GTCC) waste, and other radioactive materials associated with spent fuel and high-level radioactive waste storage, in a monitored retrievable storage (MRS) installation. The final rule contains reporting and recordkeeping requirements which are necessary to provide safety assurance and to comply with complementary NRC regulations for environmental protection (10 CFR Part 51) and safeguards requirements (10 CFR Part 73).

This supporting statement addresses changes in information collections contained in the final rule, "License and Certificate of Compliance Terms." Specifically, the final rule results in changes to information collection requirements in §§ 72.7, 72.42, 72.212, and 72.240.

The final rule amends 10 CFR Part 72 to clarify the terms for dry spent fuel storage cask designs, or Certificates of Compliance (CoCs), and ISFSI licenses. Specifically, the final rule changes allows for longer initial and renewal terms for Part 72 CoCs and licenses, clarifies the general license storage term, and clarifies the difference between CoC "approval" and "renewal." In addition, the final rule also allows Part 72 general licensees to implement changes authorized by an amended CoC to a cask loaded under the initial CoC or an earlier amended CoC (a "previously loaded cask") without express NRC approval, provided the cask then conforms to the terms, conditions, and specifications of the amended CoC.

This rulemaking is needed to improve the regulatory efficiency of 10 CFR Part 72 which provides requirements for: (a) site-specific ISFSI licenses; (b) Part 50 or 52 licenses for the storage of spent fuel in ISFSIs at reactor sites, and (c) CoCs for spent nuclear fuel dry storage systems. This final rulemaking extends the initial and renewal license durations for general and site-specific ISFSI licenses from a term not to exceed 20 years to a term not to exceed 40 years. Any initial and license renewal application must include a time-limited aging analysis that considers the effects of aging on structures, systems, and components (SSCs) important to safety for the requested initial or renewal term. In approving the renewed site-specific licenses for the Surry and H.B. Robinson ISFSIs, the staff imposed certain aging management requirements. At the present time, there are no similar requirements for general licensees. Because the same approved cask design (CoC)

could be used at both site-specific ISFSI sites and general license ISFSI sites, it is necessary and appropriate to impose the same aging management requirements on general licensees.

The rulemaking establishes a term not to exceed 40 years as the initial and renewal durations for CoCs, whereas the current regulation does not specify a term. The current regulation, however, limits a general license to 20 years after the date that a particular cask model was first used by a general licensee to store spent fuel, unless the cask's CoC is renewed, in which case the general license expires 20 years after the cask CoC renewal date. The rulemaking removes the 20 year limit and instead links the general license term to that of the CoC. Thus, the general license initial and renewal terms, the CoC initial and renewal terms, and the site-specific license initial and renewal terms are for durations not to exceed 40 years, thereby achieving regulatory consistency.

Under 10 CFR Part 72, dry storage cask fabricators may periodically upgrade a cask's design and seek NRC approval of CoC amendments. The NRC approval process for CoC amendments ensures that a proposed design upgrade will continue to result in a cask that can safely store spent fuel assemblies (i.e., within the cask's analyzed condition). This rulemaking resolves a question concerning the application of changes authorized by a CoC upgrade amendment to a previously loaded cask. Under the current regulations, a previously loaded cask is bound by the terms, conditions, and technical specifications of the CoC applicable to that cask at the time the licensee loaded the cask. A general licensee seeking to implement changes from a later CoC amendment to a previously loaded cask must obtain NRC approval in the form of an exemption. The final rulemaking allows general licensees to apply the changes of a CoC amendment to a previously loaded cask, without prior NRC approval (provided the cask conforms to the amended CoC and, thus, remains in the analyzed condition). Allowing licensees to apply the changes of a CoC amendment to a previously loaded cask, rather than requiring them to seek an exemption, results in a burden hour savings for licensees.

As of January 2010, there were 15 ISFSI site-specific licensees, 39 ISFSI general licensees, and five certificate holders (five companies hold the 15 NRC-approved CoCs). The final rule affects these 59 entities¹. However, in any given year, only a fraction of these licensees and CoC holders may be affected by these requirements because renewals of Part 72 licenses and CoCs depend on the license or CoC expiration date. These expiration dates vary by license and CoC. In addition, CoC holders periodically submit CoC amendments, and licensees may seek to apply these amendments to casks covered by the CoC. Therefore, the rule's new requirements for periodic recordkeeping and reporting requirements related to renewals and CoC amendments impose burdens that do not accrue to all licensees and CoC holders on an annual basis. This analysis estimates the number of respondents and recordkeepers expected per year.

The final rule re-numbers some sections of the existing rule, but does not change the recordkeeping or reporting burden associated with these requirements. This analysis addresses only those rule requirements that contain an incremental change to the existing rule's burden.

¹ The final rule does not increase the universe of respondents. When the renewal of the information collection for Part 72 was submitted in June 2008, NRC reported 50 respondents. However, 5 CoC holders were inadvertently left out of the total. Since that time, NRC has granted 4 additional ISFSI licenses. Therefore, the total for Part 72 should be 59 respondents. NRC estimates that the final rule affects 48 of these licensees within the three-year period, based on knowledge of expiration dates for CoCs and Part 72 licenses.

A. JUSTIFICATION

1. Need for and Practical Utility of the Information Collection

In order to obtain or renew a license under 10 CFR Part 72, an applicant must submit technical information. Such information is needed both to provide safety assurance and to comply with complementary NRC regulations for environmental protection (10 CFR Part 51) and safeguards requirements (10 CFR Part 73).

Specific new requirements for reports and records in the amendments to Part 72 are identified below. The final rule does not increase the number of affected licensees; the NRC estimates that 48 licensees and CoC holders are affected by Part 72 reporting and recordkeeping requirements (see Tables 1 and 2).

Section 72.7 provides that the Commission may grant exemptions from the requirements of Part 72 under specified conditions, upon the application of any interested person or on its own initiative. Applications under this section are examined by the NRC staff to determine whether the requested exemption is authorized by law and to ensure it will not endanger life or property or the common defense and security, and to determine if it is otherwise in the public interest. The final rulemaking does not change the requirement in § 72.7, however, the rulemaking reduces the number of exemptions sought by licensees as a result of the new reporting requirement described under § 72.212(b)(4), which allows general licensees to apply changes authorized by an amended CoC to a previously loaded cask, without applying for an exemption. This analysis assumes that the existing 39 general licensees currently submit such exemption requests once every 10 years (or 0.1 on an annual basis). Given this assumption, the analysis estimates that the final rule results in the reduction of 4 exemption applications annually. Therefore, as a result of this final rule, the NRC estimates a reduced reporting burden associated with § 72.7.

Section 72.42(a)-(b) allows ISFSI licenses to be renewed for a period up to 40 years (previously 20 years), upon application by the licensee. The final rule language adds requirements for applications for license renewal including: (1) a time-limited aging analysis, (2) a description of how issues associated with aging will be managed, and (3) design bases information as documented in the licensee's most recently updated Final Safety Analysis Report (FSAR). Although there are 15 site-specific licensees in total, the NRC estimates that these new requirements will affect approximately 4 licensees over the three year period covered by this clearance. Between 2010 and 2013, four site-specific licenses will expire, so the NRC expects these licensees to renew the licenses under the requirements of the final rule. The NRC expects to receive approximately 1.3 annual renewal applications (4 renewal applications divided by three years).

Section 72.212(b)(2) is a modification of a requirement previously contained in § 72.212(b)(1)(ii). This section requires that a general licensee register the use of each cask with the NRC no later than 30 days after using the cask to store spent fuel. Currently, registration is accomplished by submitting a letter containing a variety of information to the NRC. Under the final rule, there is an additional requirement for licensees to report the amendment number associated with the loaded cask. Registration of cask use will enable the NRC to schedule any necessary inspections and will permit the NRC to maintain an independent

record of use for each cask. The NRC anticipates receiving 105 annual registrations from 39 general licensees.

Section 72.212(b)(4) is a new requirement for a general licensee applying changes authorized by an amended CoC to a previously loaded cask to register the use of each such cask with the NRC no later than 30 days after applying the changes authorized by the amended CoC. Registration of cask use will enable the NRC to schedule any necessary inspections and will permit the NRC to maintain an independent record of use for each cask. Previously, licensees could not apply changes authorized by an amended CoC to a previously loaded cask, and had to apply for an exemption under § 72.7 if they sought to apply an amendment to a previously loaded cask. This analysis assumes that the existing 39 general licensees would apply changes authorized by an amended CoC to a previously loaded cask once every 10 years (or 0.1 on an annual basis). Given this assumption, the analysis estimates that the final rule results in 4 annual registration letters applying changes authorized by an amended CoC to a previously loaded cask.

Sections 72.212(b)(5) & (6) is a modification of a requirement previously contained in §§ 72.212(b)(2) and 72.212(b)(3). The final rule requires a general licensee to perform written evaluations prior to applying the changes authorized by an amended CoC to a previously loaded cask. The current regulation only requires written evaluations for initial CoCs. Under the final rule, these requirements also apply to amended CoCs. The evaluations must establish that (a) terms, conditions, and specifications of an amended CoC have been met; (b) cask storage pads and areas have been designed to adequately support the static and dynamic loads of the casks; and (c) the requirements of § 72.104 (regarding radioactive material in effluents, and direct radiation) have been met. This evaluation is necessary to show that storage of spent fuel is in accordance with the amended CoC. Although this requirement affects all 39 general licensees, the NRC estimates that on an annual basis, an average of eight general licensees would need to retain the record required under these subparagraphs.

Section 72.212(b)(7) is a modification of a requirement previously contained in § 72.212(b)(2)(ii). This section requires a general licensee to evaluate any changes to the site parameters determination and analyses as a result of an amended CoC. A copy of the evaluation must be retained as a record until spent fuel is no longer stored under the general license. Although this requirement affects all 39 general licensees, the NRC estimates that on an annual basis, approximately eight general licensees need to retain the record required under this subparagraph.

Section 72.212(b)(11) is a modification of a requirement previously contained in § 72.212(b)(7). This section requires a general licensee to maintain a copy of the amended CoC and documents referenced in the amended certificate for each cask used for storage of spent fuel. Previously this section applied only to CoCs, and not amended CoCs. The cask is an item that is important to safety and maintaining these documents permits the licensee and the NRC inspectors to ensure that use of the cask is in compliance with conditions in the cask certificate. Although this requirement affects all 39 general licensees, the NRC estimates that on an annual basis, approximately eight general licensees need to retain the record required under this subparagraph.

Section 72.240(c) requires that an applicant for cask design renewal must submit an application accompanied by a Safety Analysis Report (SAR). The previous requirement stated that the SAR may reference the original SAR for the cask design; however, the final rule adds requirements that the SAR must include: (1) design bases information as documented in the most recently updated FSAR, (2) a time-limited aging analysis, and (3) a description of the program for management of issues associated with aging. The information in the SAR is reviewed by the NRC staff to determine whether there is reasonable assurance that the type of cask will continue to provide adequate protection for public health and safety. The NRC estimates that this requirement affects five CoC holders, and expects to receive one cask design renewal over the three year period covered by this clearance.

In addition, the final rule re-numbers some subparagraphs in § 72.212, but does not change the recordkeeping or reporting burden associated with these requirements. The renumbering improves the organization and clarity of the rule. These changes are documented in the table below.

Final Rule	Current Rule
§ 72.212(b)(1)	§ 72.212(b)(1)(i)
§ 72.212(b)(5)(i)	§ 72.212(b)(2)(i)(A)
§ 72.212(b)(8)	§ 72.212(b)(4) (modified)
§ 72.212(b)(9)	§ 72.212(b)(5)
§ 72.212(b)(9)(i)	§ 72.212(b)(5)(i)
§ 72.212(b)(9)(ii)	§ 72.212(b)(5)(ii)
§ 72.212(b)(9)(iii)	§ 72.212(b)(5)(iii)
§ 72.212(b)(9)(iv)	§ 72.212(b)(5)(iv)
§ 72.212(b)(9)(v)	§ 72.212(b)(5)(v)
§ 72.212(b)(10)	§ 72.212(b)(6)
§ 72.212(b)(12)	§ 72.212(b)(8)(i)
§ 72.212(b)(12)(i)	§ 72.212(b)(8)(i)(A)
§ 72.212(b)(12)(ii)	§ 72.212(b)(8)(i)(B)
§ 72.212(b)(12)(iii)	§ 72.212(b)(8)(i)(C)
§ 72.212(b)(13)	§ 72.212(b)(9)
§ 72.212(b)(14)	§ 72.212(b)(10)
§ 72.212(c)	§ 72.212(b)(8)(ii) (modified)
§ 72.212(d)	§ 72.212(b)(8)(iii) (modified)
§ 72.212(e)	§ 72.212(b)(1)(iii)

2. Agency Use of Information

Generally, the information included in the applications, reports, and records is reviewed by the NRC staff to ensure the provision of an adequate level of protection of public health and safety, common defense and security, and the environment.

The information submitted in an application for renewal will be reviewed by the NRC licensing staff to make determinations with regard to safety, environmental protection, financial responsibility, and other matters.

Registration of cask use will enable the NRC to schedule any necessary inspections and will permit the NRC to maintain an independent record of use for each cask.

The NRC will use information from licensees' written evaluations (performed prior to applying the changes authorized by an amended CoC to a previously loaded cask) to assess that storage of spent fuel is in accordance with the amended CoC.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. The NRC issued a regulation on October 10, 2003 (68 FR 58791), 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 interface, or other means. However, because of the types of information (e.g., engineering analyses unique to each licensee) and the infrequency of submission, the applications and other reports do not lend themselves readily to the use of automated information technology for submission. The NRC estimates that none of the submissions under Part 72 are electronic.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information have been found. There is no duplication of requirements. The NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

In general, information required by the NRC in applications, reports, or records concerning the transfer, receipt, possession, or use of nuclear material does not duplicate other Federal information collection requirements and is not available from any source. Section 72.18 specifically provides an opportunity for the applicant to avoid repetition in filing licensing submittals. The applicant may incorporate by reference information contained in previous applications, statements, or reports filed with the Commission, provided that such references are clear and specific.

5. Effort to Reduce Small Business Burden

The NRC has determined that the affected entities are not small entities or businesses. This final rule affects only nuclear power plant licensees and the manufacturers of dry cask spent fuel storage systems. These entities do not fall within the scope of the definition of “small entities” set forth in the Regulatory Flexibility Act or the size standards established by the NRC (10 CFR 2.810).

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

Applications are required to be submitted only for the initial license, for the CoC, for amendments, and for renewal every 40 years (per the revisions in the final rule). The application process requires that applicants and licensees perform comprehensive safety and environmental reviews to assure that all activities will be or are being conducted safely and in accordance with NRC regulations. The review and submission of the information required for the application is essential to the NRC's determination of whether the applicant has the equipment, facilities, and procedures adequate to protect the public health and safety.

7. Circumstances Which Justify Variation from OMB Guidelines

Section 72.212(b)(7) requires that licensees retain records of written evaluations until the spent fuel is no longer stored under the general license (i.e., longer than three years). The records of the evaluations are needed to establish that (1) conditions in the CoC have been met, (2) cask storage pads and areas have been designed to adequately support the static load of the stored casks, and (3) the requirements of § 72.104 (regarding radioactive material in effluents and direct radiation) have been met. The written evaluations also are needed to demonstrate whether the licensee's site parameters are enveloped by the cask design capability, and whether activities related to storage of spent fuel under the general license involve any unreviewed facility safety question or change in the facility technical specifications, as provided in § 50.59.

Section 72.212(b)(11) requires that licensees retain, for longer than three years, a copy of the CoC and amended CoC, and documents referenced in the certificate for each cask used for storage of spent fuel. The cask is an item that is important to safety and maintaining a copy permits the licensee and the NRC inspectors to ensure that use of the cask is in compliance with conditions in the cask certificate.

8. Consultations Outside the NRC

Opportunity for public comment on the proposed rule was published in the *Federal Register* on September 15, 2009 (74 FR 47126). The public comment period closed on November 30, 2009. The NRC received five comment letters. One commenter (Nuclear Energy Institute) provided 17 individual comments that addressed information collections. The remainder of the comments did not pertain to information collections.

First, the commenter requested clarification on several rulemaking topics that address information collections. In particular, the commenter asked the NRC to clarify the following topics:

- What quality assurance (QA) program may be used when general licensees seek to fabricate casks?
- Who is responsible for updating the Final Safety Analysis and reporting it to the NRC in cases where a cask user or user's representative renews a CoC?
- What will be the numbering convention for CoC amendments following CoC renewal?
- When do aging management requirements apply?
- What is the relationship between the "current licensing basis" and the time-limited aging analysis?
- What is the meaning of the term "site aging issues?"
- Are licensees required to provide the NRC with cask loading schedules?
- Must licensees revise existing § 72.212 evaluations to reflect the proposed rule's revised numbering system?

In response to these comments, the NRC clarified the intent of the rule language. These clarifications did not affect the burden associated with the information collections in the final rule.

The commenter also suggested revisions to the rule language for the following subparagraphs, which contain information collections discussed in this Supporting Statement:

- One comment addressed the rule language in § 72.212(b)(2);
- Three comments addressed the rule language in § 72.212(b)(4);
- Two comments addressed the rule language in § 72.212(b)(7); and,
- One comment addressed the rule language in § 72.212(b)(11).

In response to these comments, the NRC either revised the rule language or clarified the intent of the rule. In all cases, the NRC's responses to the comments do not affect the burden associated with the information collections in the final rule. One of the comments on § 72.212(b)(4) requested that the NRC provide licensees more time in order to combine two separate notifications into one: (1) for new casks, licensees would need to notify the NRC within 30 days of deployment; and (2) for previously loaded casks, licensees would need to notify the NRC within 30 days of applying the changes authorized by a CoC amendment to a previously loaded cask. After reviewing the commenter's arguments, the NRC staff believes that the general licensee could time its actions such that changes to the previously loaded casks would be implemented at or near the same time that the new casks are deployed; and as such, have both parts of the campaign covered in one notification letter. Therefore, the NRC staff concluded that the 30 day timeframe is a reasonable requirement.

The commenter also submitted two comments that would have had a direct impact on information collections in the rule language. First, the commenter requested that the NRC include in CoC amendments "language addressing whether or not the amendment encompasses all requirements of the initial CoC and previous amendments." The NRC disagreed with this comment because the recommendation would have imposed additional burden on both the NRC and licensees. As a result, there is no impact on the information collections in the final rule.

Second, the commenter provided comments as requested under Section II, "Discussion," Question AA of the proposed rule's *Federal Register* notice. Question AA solicited public comment on whether or not the evaluation required by proposed § 72.212(b)(5) should be reviewed and approved by the NRC.² The commenter opposed NRC review of "evaluations performed pursuant to 10 CFR 72.212(b)(5) to apply a later CoC amendment to previously loaded casks." The NRC agreed with the commenter's remarks. As a result, there is no impact on the information collections in the final rule.

The detailed description of all comments and the NRC responses is provided in the *Federal Register* notice for the final rule and included in a supplemental document to this submission.

9. Payment or Gift 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

No sensitive information is requested under these regulations.

12. Estimated Burden and Burden Hour Cost

The total burden change to the NRC licensees as a result of the final rule is a decrease of 38 hours. At \$257/hr, this results in a total net savings to the industry of \$9,766.

The burden associated with the information collections are given in Table 1 for reporting burden and Table 2 for recordkeeping burden.

The final rule affects information collection requirements in §§ 72.7, 72.42, 72.212, and 72.240. The factors that account for the changes in burden include the following requirements for licensees:

- Section 72.7 The final rulemaking does not change the requirement in § 72.7, however, the rule language reduces the number of exemptions sought by licensees as a result of the new reporting requirement described under § 72.212(b)(4). The NRC estimates that as a result of this final rule, the NRC will receive 4 fewer exemption requests annually. Because exemption requests for applying changes authorized by an amended CoC to a previously loaded cask are estimated to take 40 hours, this results in a reduction of 160 hours of reporting burden.³

² The proposed rule did not require NRC review and approval of the § 72.212(b)(5) evaluations.

³ Section 72.7 includes exemption requests for all Part 72 requirements. The current estimate for Section 72.7 is for 5 annual respondents and 200 hours per exemption request for a total of 1,000 hours annually. As a result of the final rule, the number of requests will be reduced from 5 to 1 annually, with a burden estimate of 840 hours for this request.

- Section 72.42(a)-(b) The final rule language adds requirements for applications for license renewal including: (1) a time-limited aging analysis, (2) a description of how issues associated with aging will be managed, and (3) design bases information as documented in the licensee's most recently updated FSAR. The NRC estimates that these requirements take 40 hours, and will affect 4 licensees over the course of three years (1.33 respondents annually), resulting in a burden increase of 53 annual burden hours (40 hours x 1.33 respondents).
- Section 72.212(b)(2) This section requires that a general licensee register the use of each cask with the NRC no later than 30 days after using the cask to store spent fuel. Furthermore, there is an additional requirement for licensees to report the amendment number associated with the loaded cask. The NRC anticipates receiving 105 responses related to this requirement, at .2 hours each, for an additional burden of 21 hours.
- Section 72.212(b)(4) The final rule language allows for a general licensee applying changes authorized by an amended CoC to a previously loaded cask to register the use of each such cask with the NRC no later than 30 days after applying the changes authorized by the amended CoC. Currently, licensees must apply for an exemption under § 72.7 in order to apply a CoC amendment to a previously loaded cask. The NRC anticipates receiving 4 registrations per year, at one hour per registration, for an increase in burden of 4 hours.
- Sections 72.212(b)(5) & (6) These sections require a general licensee to perform written evaluations prior to applying the changes authorized by an amended CoC to a previously loaded cask. The evaluations must establish that (a) terms, conditions, and specifications of an amended CoC have been met; (b) cask storage pads and areas have been designed to adequately support the static and dynamic loads of the casks; and (c) the requirements of § 72.104 (regarding radioactive material in effluents, and direct radiation) have been met. This requirement affects 8 licensees annually, at 2 hours per recordkeeper, for an increase of 16 hours.
- Section 72.212(b)(7) This section requires a general licensee to evaluate any changes to the site parameters determination and analyses. A copy of the evaluation must be retained as a record until spent fuel is no longer stored under the general license. This requirement affects 8 licensees annually, at 1 hour per recordkeeper, for an increase of 8 hours.
- Section 72.212(b)(11) This section requires a general licensee to maintain a copy of the amended CoC and documents referenced in the amended certificate for each cask used for storage of spent fuel. This requirement affects 8 licensees annually, at 1 hour per recordkeeper, for an increase of 8 hours.
- Section 72.240(c) This section requires that an applicant for cask design renewal must submit an application accompanied by a SAR that includes: (1) design bases information as documented in the most recently updated FSAR; and (2) a time-limited aging analysis. The NRC anticipates receiving one application over the next three years (.3 respondents annually), at 40 hours per application, for an increase of 12 hours annually.

Table 1 - Reporting Requirements for Part 72
License and Certificate of Compliance Terms Final Rule

Section	No. of Respondents	Responses per Respondent	Number of Responses	Burden Hours per Response	Total Annual Burden Hours	Cost at \$257/hr
§ 72.7	39	(0.1)	(4)	40	(160)	(\$41,120)
§ 72.42(a)-(b)	4	0.33	1.33	40	53	\$13,621
§ 72.212(b)(2)	39	2.7	105	0.2	21	\$5,397
§ 72.212(b)(4)	39	0.1	4	1.0	4	\$1,028
§ 72.240(c)	5	0.06	0.3	40	12	\$3,084
Total	48		106.6		(70)	(\$17,990)

Table 2 - Recordkeeping Requirements for Part 72
License and Certificate of Compliance Terms Final Rule

Section	No. of Recordkeepers	Annual Hours per Recordkeeper	Total Annual Burden	Cost at \$257/hr
§ 72.212(b)(5)&(6) – (G)	8	2.0	16.0	\$4,112
§ 72.212(b)(7) – (G)	8	1.0	8.0	\$2,056
§ 72.212(b)(11) – (C)	8	1.0	8.0	\$2,056
Total	8		32.0	\$8,224

TOTAL ANNUAL BURDEN / COST: -38 hours (-70 hours reporting + 32 hours recordkeeping) / -\$9,766 (-\$17,990 reporting burden savings + \$8,224 recordkeeping burden)

TOTAL ANNUAL RESPONDENTS: 48

TOTAL ANNUAL RESPONSES: 114.6 (or approximately 344 responses over three years). This includes 106.6 annual responses + 8 annual recordkeepers.

THIRD-PARTY BURDEN: 0 hours

Notes on maintenance period for records:

G = Duration of General License C = Cask life

13. Estimate of Other Additional Costs

The quantity of records to be maintained is roughly proportional to the recordkeeping burden. Based on the number of pages maintained for a typical clearance, the records

storage cost has been determined to be equal to .0004 times the recordkeeping burden cost. Therefore, the storage cost for the incremental recordkeeping activities in the final rule is \$3 (32 recordkeeping hours x .0004 x \$257/hr).

14. Estimated Annualized Cost to the Federal Government

Table 3 describes the estimated annual cost to the NRC for administration of the reporting and recordkeeping requirements. These costs are fully recovered through fee assessments to the NRC licensees pursuant to 10 CFR Parts 170 and 171. The final rule results in some additional burden on the NRC. However, the rule language also reduces the number of exemptions sought by licensees under § 72.7 as a result of the new reporting requirement described under § 72.212(b)(4). The NRC estimates that the savings associated with § 72.7 more than offsets the additional burden for administration of the reporting and recordkeeping requirements. Therefore, the final rule overall results in an annual net savings to the NRC of 553 hours or \$142,121.

Table 3 – NRC Burden for Part 72
License and Certificate of Compliance Terms Final Rule

NRC Action	No. Actions/Year	Burden Hours/Action	Total Hours	Cost at \$257/hr
Review exemption requests under § 72.7	(4)	160	(640)	(\$164,480)
Review submittals under § 72.42(a)-(b)	1.3	16	21	\$5,397
Review submittals under § 72.212(b)(2)	105	0.5	53	\$13,621
Review submittals under § 72.212(b)(4)	4	2	8	\$2,056
Review submittals under § 72.240(c)	0.3	16	5	\$1,285
Total			(553)	(\$142,121)

15. Reason for Changes in Burden or Cost

The final rule results in a total burden hour decrease of 38 hours. This decrease is due to the following:

Reporting:

- The rule adds reporting requirements totaling 90 hours annually, including requirements to conduct aging analyses for license renewal applications, register the use of each cask within 30 days, register the use of each cask when applying changes authorized by an amended CoC, and submit a SAR with cask design renewal applications.
- The rule also reduces the reporting burden by 160 hours by decreasing the number of exemptions sought by licensees under § 72.7 as a result of the new rule language in § 72.212(b)(4) allowing licensees to apply changes authorized by an amended CoC to a previously loaded cask. Previously, licensees seeking to apply changes

authorized by an amended CoC would have had to seek an exemption.

- The total reporting burden change is a decrease of 70 hours (+90 hours – 160 hours = -70 hours).

Recordkeeping:

- The rule adds recordkeeping requirements totaling 32 hours, including time to keep records of written evaluations performed prior to applying the changes authorized by an amended CoC to a previously loaded cask and evaluations of site parameter changes, as well as to maintain copies of amended CoCs.

Therefore, the final rule overall results in an annual net savings to the industry of 38 hours or \$9,766 (-70 reporting burden hours + 32 recordkeeping burden hours / -\$17,990 reporting burden savings + \$8,224 recordkeeping burden). The NRC estimates that the savings associated with § 72.7 more than offsets the added reporting and recordkeeping burden.

16. Publication for Statistical Use

None.

17. Reason for Not Displaying the Expiration Date

The requirements are contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.