

## SUPPORTING STATEMENT

### Standard Remittance Advice for Payment of Fees (NWSA-830G) 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-830G, "Appendix G - Standard Remittance Advice for Payment of Fees", including Annex A to Appendix G. The Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 *et seq.*) required that the Department of Energy (DOE) enter into Standard Contracts with all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin. The Form NWSA-830G "Appendix G - Standard Remittance Advice for Payment of Fees", including Annex A to Appendix G, is an Appendix to this Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste. Appendix G and Annex A to Appendix G are commonly referred to as Remittance Advice forms. The forms must be submitted quarterly by generators and owners of spent nuclear fuel who signed the Standard Contract (referred to in the contract as "Purchasers").

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.

The Form NWSA-830G, "Appendix G - Standard Remittance Advice for Payment of Fees" is designed to serve as the source document for entries into DOE accounting records to transmit data from purchasers to the DOE concerning payment of fees into the Nuclear Waste Fund for spent nuclear fuel disposal. The Appendix G contains fee payment data based on a utility's net electricity generated and sold. Data collected include the net electricity generated and sold in megawatt hours, the fee rate (currently 1 Mil per kilowatt hour), and the total fee. The form also includes associated fee data including adjustments from previous quarters, interest, and credits.

The Annex A to Appendix G is used to provide data on the amount of net electricity generated and sold, upon which the fees are based. Purchasers report gross electricity generated and energy losses resulting in "net electricity generated". Energy losses include nuclear station use and offsets for pumped storage. To report "net electricity generated and sold," purchasers must generate a series of factors to calculate the "and sold" portion. These factors are based on percentages of a utility's sales to ultimate consumers and sales for resale, a utility-level factor to account for retail energy losses, and a national-level factor to account for resale energy losses. Adjustment factor data are calculated for each individual owner of a nuclear plant and weighted by that owner's share of the plant.

The Form NWSA-830G, "Appendix G - Standard Remittance Advice for Payment of Fees" contains both an Annex A to Appendix G and an Annex B to Appendix G. The Standard Contract required that purchasers pay ongoing fees based on net electricity generated and sold after April 6, 1983 and a one-time fee based on spent nuclear fuel discharged or in the reactor core as of April 6, 1983. Ongoing fees are reported on Annex A to Appendix G. One-time fees are reported on Annex B to Appendix G. Purchasers who signed the Standard Contract were required to file an Annex B to Appendix G documenting the status of the nuclear fuel as of April 6, 1983. Any change to the status of individual fuel assemblies as of this date, including future reinsertions of previously discharged fuel or changes in a utility's fuel plans, required changes in the one-time fee amount and the submission of a revised Annex B to Appendix G. The one-time fee only affected assemblies either discharged or in the reactor core in

1983.

The Form NWPA-830G, "Appendix G - Standard Remittance Advice for Payment of Fees" was previously referred to as the Form NWPA-830R. The Form NWPA-830R covered all Appendices to the Standard Contract. The data on Appendix A were collected one time only in 1983 when the contracts were signed. The data to be collected on the Appendix B are now collected on the Form GC-859 "Nuclear Fuel Data" survey. The data on Appendices C, D, and F are all dependent on the availability of a Federal facility to accept spent nuclear fuel. The data on Appendix C, "Delivery Commitment Schedule" will be collected 63 months prior to fuel delivery. The data on Appendix D is the final delivery schedule and will be collected at least 12 months prior to fuel delivery. The data on Appendix F are the detailed description of the spent fuel and will be collected 60 days prior to fuel delivery. Appendix E contained a series of definitions and specifications and no data were collected.

## 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 with any person who generates or holds title to high-level radioactive waste, or spent nuclear fuel, of domestic origin for the acceptance of title, subsequent transportation, and disposal of such waste or spent fuel. Such contracts shall provide for payment to the Secretary of fees...; (2) For electricity generated by a civilian nuclear power reactor and sold on or after the date 90 days after the date of enactment of this Act, the fee under paragraph (1) shall be equal to 1.0 mil per kilowatt-hour; (4)...The Secretary shall establish procedures for the collection and payment of the fees established by paragraph (2) ... The Secretary shall annually review the amount of the fees established by paragraph (2) ....

(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...

The full Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste can be viewed at:

[http://energy.gov/sites/prod/files/gcprod/documents/New\\_Standard\\_Contract.pdf](http://energy.gov/sites/prod/files/gcprod/documents/New_Standard_Contract.pdf)

### 2. Uses of the Data

The Form NWPA-830G “Appendix G - Standard Remittance Advice for Payment of Fees”, including Annex A to Appendix G, is a quarterly form submitted by all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin (purchasers). These purchasers signed a Standard Contract with the DOE requiring them to pay fees into the Nuclear Waste Fund. The Form NWPA-830G is Appendix G to the Standard Contract.

Appendix G is designed to transmit data to DOE concerning payment of fees into the Nuclear Waste Fund. The data are used by the DOE Office of the Chief Financial Officer, Energy Finance and Accounting Service Center, to verify the amounts of these payments. Appendix G data provides a complete audit trail of all payments made into the Nuclear Waste Fund.

Annex A to Appendix G is used to provide data on the amount of net electricity generated and sold, upon which the fees are based. Data from the Annex A to Appendix G form are used within DOE by the Office of Standard Contract Management, the Energy Information Administration, and the Office of Nuclear Energy. Fee payment data are used by the Office of Standard Contract

Management in a number of internal reports, including Fee Adequacy reports and Total System Life Cycle Cost reports. Net electricity generated data can be used by EIA to verify that data reported on other surveys are consistent with Annex A data, or as a source of energy loss and pumped storage data that may not be available on other surveys. Adjustment factor data may be used to determine energy loss data, in addition to the distribution of electricity sales for resale and sales to consumers data. Data from the Appendix G and Annex A to Appendix G forms are not made available to users outside of DOE.

### 3. Use of Technology

The EIA continues to use information technology to improve reporting options. Beginning in 1999 the DOE distributed an automated software package, the Remittance Advice Reporting System (RAPS), to the NWPA-830G respondents to reduce their reporting burden. This computer-based system required the respondents to enter only data that changes from quarter to quarter. Net electricity generated and sold data changes from quarter to quarter, but adjustment factor data remains the same for four successive quarters. The RAPS 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 compatible with these systems.

### 4. 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.

Though net electricity data are collected on other EIA surveys (both monthly and annual), the NWPA-830G, "Appendix G - Standard Remittance Advice for Payment of Fees", including Annex A to Appendix G, is the only source of quarterly data. Though it appears that the quarterly net electricity data can be obtained by simply summing monthly data from other surveys, this is not always the case. Differences in the reporting of energy losses, station electricity use, pumped storage losses, and energy furnished without charge require that purchasers report their quarterly data on the NWPA-830G. The reporting of this quarterly data also ensures a complete audit trail of fee payment supporting data. Fee data are primarily used by the DOE Energy Finance and Accounting Service Center and the Office of Standard Contract Management so it is imperative that all data are available on a single form.

### 5. Provisions for Reducing Burden on Small Businesses

This collection of information does not involve small businesses or other small entities. All respondents are either major commercial utilities or operating companies.

## 6. Consequences of Less Frequent Reporting

The Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees”, including Annex A to Appendix G, are required to be submitted quarterly per the Standard Contract. This also ensures the accuracy of the mandated fees, and minimizes interest payments when errors are made.

## 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, ([77 FR 23704](#)) was published April 20, 2012, giving the public an opportunity to comment on the proposed three-year extension to the Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees” , including Annex A to Appendix G. The Energy Information Administration (EIA) received no comments to the Federal Register notice.

## 9. Payments or Gifts to Respondents

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 information reported on Form NWPA-830G will be protected 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 Department of Energy (DOE) regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

The Federal Energy Administration Act requires the EIA to provide company-specific data to other Federal agencies when requested for official use. The information reported on this form may also be made available, upon request, to another DOE component; to any Committee of Congress, the Government Accountability Office, or other Federal agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order. The information may be used for any non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

EIA has an agreement to provide company-specific information to the DOE Office of Standard Contract Management. The data are used for administrative, regulatory, and adjudicatory purposes only. Disclosure limitation procedures are not applied to the statistical data derived from this survey's information. The agreement requires that the information is protected and not disclosed to the public as set forth above.

11. Questions of a Sensitive Nature

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

12. Estimate of Respondent Burden

<b>Form NWPA-830G, Estimate of Respondent Burden</b>					
Form	Number of Respondents	Number of Reports Filed Annually	Total Responses	Hours / Responses	Total Hours
NWPA-830G	104	4	416	5	2,080
<b>Total Annual Burden</b>					2,080 hours

The estimated burden of 5 hours per response represents the estimate including both the “Appendix G - Standard Remittance Advice for Payment of Fees”, and the Annex A to Appendix G.

13. Annual Reporting and Record Keeping Cost

There are no additional 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 \$140,899.20. (\$67.74/hour x 2,080 hours). An average cost per hour of \$67.74 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-830G, “Appendix G - Standard Remittance Advice for Payment of Fees”, including Annex A to Appendix G, is \$491,911. This includes the cost of one EIA employee at \$141,911 and \$350,000 in contractor costs. The cost figures include (1) Development and Maintenance Costs, (2) Collection Costs, (3) Processing Costs, (4) Analysis Costs, (5) Publication Costs, and (6) Other Costs.

Estimated Annual Cost Summary

<b>Form NWPA-830G Estimated Annual Cost Summary</b>			
	<u>Type of Cost</u>	<u>Estimated Annual Cost</u>	<u>Notes</u>
1	Development and Maintenance Costs	\$0	No changes to current system
2	Collection Costs	\$0	Forms are submitted to the Energy Finance and Accounting Service Center and forwarded to EIA
3	Processing Costs	\$150,000	Includes providing support to respondents
4	Analysis Costs	\$241,911	
5	Publication Costs	\$0	Data are not made available to the public
6	Other Costs	\$100,000	Includes work with the Office of Standard Contract Management and the Energy Finance and Accounting Service Center
		\$491,911	

15. Changes in Respondent Burden

It is estimated that there will be no changes in the total respondent burden for the Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees”, including Annex A to Appendix G, of 2,080 hours/year.

16. Schedule for Information Collection and Publication

The Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees”, including Annex A to 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 requested is December 31, 2015. The expiration date and OMB control number will be displayed on the forms.

18. Exceptions to Certification Statement

There are no exceptions to the Certification Statement.