

1FINAL SUPPORTING STATEMENT
FOR
NRC REACTOR VENDOR REGISTRATION
(3150-XXXX)
NEW

Description of the Information Collection

The U.S. Nuclear Regulatory Commission (NRC) is commencing an effort to identify vendors of safety-related parts and services to nuclear power plants both directly (vendors) and indirectly (sub-vendors). For the purpose of this document, the term vendor includes supplier. NRC licensees and applicants are responsible for the safety of facilities licensed by the NRC. As such, they are responsible for ensuring that their vendors meet applicable regulations and requirements, both technical and quality, in purchase documents. In order to ensure that licensees are meeting the regulatory requirements in this area, the NRC inspects vendors to evaluate their conformance with technical and quality requirements such as Title 10 of the *Code of Federal Regulations* (10 CFR) Part 21, "Reporting of Defects and Noncompliance," and Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50, as required by procurement contracts with licensees.

There is no requirement for vendors to register with the NRC. This collection will assist the NRC in assessing the number and variety of vendors of safety-related parts and services for the purposes of resource and vendor inspection planning. The NRC will also use the contact information to improve its outreach efforts with vendors. As part of that effort, the NRC plans to (1) issue a communication to power reactor licensee and applicants and vendors describing the NRC's vendor inspection program and requesting the voluntary submittal of vendor information and (2) create a webpage on its public website that allows vendor and sub-vendor information to be submitted individually. For both methods, respondents will be asked to provide the following information: vendor names, vendor addresses, vendor points of contact, vendor point of contact e-mail address, vendor telephone number, scope of supply, and comments. Power reactor licensees and applicants typically maintain an internal database of their vendor information. The NRC anticipates that all of responding power reactor licensees and applicants will choose to submit electronic (e.g., PDF, Microsoft Word or Excel) or hard copies of their vendor databases, rather than using the registration webpage, because this will represent less burden for them. The NRC expects that responding vendors will register themselves using the vendor registration webpage. Vendors will also have the option to submit a hard copy of their individual information.

A. JUSTIFICATION

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

In order to ensure that licensees and applicants are meeting the regulatory requirements for oversight of vendors of safety-related parts and services, the NRC inspects those vendors. The NRC inspections evaluate the vendors' conformance with technical and quality requirements such as 10 CFR Part 21, for the reporting of

defects and noncompliance, and Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50, a set of quality assurance criteria that is required by procurement contracts with licensees or other vendors.

The NRC's statutory authority to conduct these inspections is found in Section 206(d) of the Energy Reorganization Act of 1974, which states, "the Commission is authorized to conduct such reasonable inspections and other enforcement activities as needed to insure compliance with the provisions of this section." The NRC codified this in 10 CFR 21.41, "Inspections," which states, "Each individual, corporation, partnership, dedicating entity, or other entity subject to the regulations in this part shall permit the Commission to inspect records, premises, activities, and basic components as necessary to accomplish the purposes of this part."

However, there is no requirement for vendors to register with the NRC; therefore, vendor registration information will be voluntary. This collection will assist the NRC in assessing the number and variety of vendors of safety-related parts and services for resource and vendor inspection planning. The NRC will also use the contact information to improve its outreach efforts with vendors.

2. Agency Use of Information

The NRC will compile the information in an internal database. The NRC will then use the information to inform resource and vendor inspection planning. This information will help improve the communication link between the agency and regulated vendors.

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. 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. It is estimated that approximately 90% of the potential responses are filed electronically. Each licensee/vendor can submit a written response consistent with the requested actions and information provided in the regulatory issue summary. Addressees that choose to provide a voluntary response should send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001. Addressees may submit responses electronically. Detailed guidance can be found on the NRC's Website at <http://www.nrc.gov/site-help/e-submittals.html>.

4. Effort to Identify Duplication and Use Similar Information

There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

5. Effort to Reduce Small Business Burden

It is estimated that of the 192 annual responses, 50 small businesses will be affected by this collection. However, this collection is voluntary and the burden is already minimal and cannot be further reduced.

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

If the NRC were unable to conduct the collection, the NRC's resource planning may be hindered and the NRC could miss vendors that should be identified for inspection. These potential consequences were mentioned in the NRC's Office of the Inspector General's (OIG) Audit Report on the Vendor Inspection Program (OIG-2010-0789). The staff would also fail to implement its actions in response to the OIG's audit recommendation.

7. Circumstances Which Justify Variation from OMB Guidelines

Not applicable.

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 September 24, 2012 (77 FR 58871). No comments were received.

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).

In addition, NRC licensees and vendors can indicate in their submissions to NRC that the material is proprietary. The NRC has specific regulations related to the protection of trade secrets or confidential commercial or financial information: <http://www.nrc.gov/reading-rm/doc-collections/cfr/part009/part009-0028.html/>

Any information that is submitted to the NRC by a licensee or vendor that is claimed by the submitter to be confidential based on its containing proprietary information will be sent to the submitter for a 5 U.S.C. 552(b)(4) review prior to the disclosure to the requester who has submitted the FOIA. This is what is colloquially called a "submitter notice". In response to that submitter notice, the submitter identifies any information that they assert is subject to withholding pursuant to that exemption. Following the review completed by the submitter, NRC will conduct its own review of the information, as well as any privacy information subject to withholding pursuant to 5 U.S.C. 552(b)(6). Privacy information is withheld pursuant to the case-by-case privacy balancing inquiry, along with a comprehensive examination of the records for the applicability of other FOIA Exemptions.

In some circumstances, a submitter may very well have a privacy interest that outweighs the public interest in disclosure of the vendors' contact information to the FOIA requester. In other instances, the submitters may have no objection to the release of the vendor contact information, or the FOIA requester may even be able to submit third party waivers of such privacy interests. As a practical matter from a FOIA perspective, the balancing inquiry set forth in (b)(6) will be examined by the NRC on a case by case basis to properly protect both the privacy, and proprietary, interests of submitters while maintaining transparency.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Burden and Burden Hour Cost

The NRC will request information from power reactor licensees, applicants, and vendors. Power reactor licensees and applicants will be requested to voluntarily provide information about their vendors. They may provide this information by providing the information in an electronic (e.g., PDF, Microsoft Word or Excel) or hard copy format of their choice or registering their vendors using the online registration tool. Power reactor licensees typically maintain an internal database of vendor information. The NRC anticipates that 100% of total power reactor licensee respondents will choose to submit their supplier list in electronic or hard copy because this will represent less burden for them. The NRC estimates that it will take 4 hours per response for licensees to generate and submit to the NRC a list of vendors from their vendor databases. The NRC estimates that 75 licensees and applicants will submit vendor information over the three year clearance period, or 25 respondents annually. This number represents all 65 sites where the 104 operating reactors are located plus an estimated 10 out of 18 new reactor applicants. At 4 hours per response, this represents 100 hours of burden for power reactor licensee respondents (25 respondents x 4 hours = 100 hours).

The NRC will request that vendors register using the vendor registration webpage or submit a hard copy of the registration information. The NRC anticipates that 100% of responding vendors will choose to register using the vendor registration webpage, rather than using the vendor registration webpage, because this will represent less burden for them. The NRC estimates that it will take a half hour per response for licensees to register online, and that 500 vendors will register over the three year clearance period, or 167 respondents annually. The annual burden for vendors to register is estimated to be 83.5 hours (167 respondents x .5 hours = 83.5 hours).

The total number of respondents is 192 respondents (25 power reactor licensees + 167 vendors) for this collection.

The total estimated burden for the collection is 183.5 hours at a cost of \$50,279 (183.5 hours x \$274/hr).

13. Estimate of Other Additional Costs

The NRC staff does not anticipate receiving any hard copy submissions from vendors registering using the online vendor registration form.

The staff expects that 50% of licensees (or 12.5 licensees annually) submitting lists of their vendors will do so electronically and 50% (12.5 licensees) will submit hard copies. Each licensee submitting hard copies is estimated to print 50 pages, at a cost of \$0.0167 per page, for a total printing cost of \$10 (12.5 licensees x 50 pages x \$0.0167 per page = \$10).

To mail a medium flat rate priority box through the U.S. Postal Service costs \$12.35. A box of this size will accommodate a printed list of vendors for those licensees submitting hard copies. The total estimated mailing costs are therefore \$154 (12.5 licensees x \$12.35 mailing costs).

The total other costs are \$164 (\$10 + \$154).

14. Estimated Annualized Cost to the Federal Government

The NRC vendor and quality staff will be in charge of reviewing all information collected by various vendors and licensees. The information collected may be viewed on monthly basis to ensure all data is updated and correct. There will not be any follow-up questions for the licensees pertaining to this collection however; NRC reaches out to vendors and licensees regularly as part of their inspection planning process. This will help the agency to be able to properly assess the number and variety of vendors of safety-related parts and services for resource and future vendor inspection planning. The NRC staff will approximately take 100 hours per year for reviewing submissions and updating the database monthly. The estimated cost of NRC staff's professional review will be \$27,400.00 (100 hours x \$274/hr).

15. Reasons for Change in Burden or Cost

The collection is a new collection that will enable the NRC to collect information to inform resource and vendor inspection planning. This information will also help improve the communication link between the agency and vendors. Power reactor licensees and vendors will submit their names, addresses, points of contact, point of contact e-mail address, telephone number, scope of supply, and comments. That will result in 183.5 additional burden hours to licensees and vendors to submit the previous stated information to the NRC.

16. Publication for Statistical Use

This information will not be published for statistical use.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.