

FINAL OMB SUPPORTING STATEMENT FOR
NRC FORMS 540 AND 540A
UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST (SHIPPING PAPER)
AND
NUREG/BR-0204, "INSTRUCTIONS FOR COMPLETING NRC'S
UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST"
(3150-0164)

EXTENSION

Description of the Information Collection

Current industry practice requires standardized forms to meet U.S. Department of Transportation (DOT), U.S. Nuclear Regulatory Commission (NRC), and State requirements. NRC Form 540 is specifically designed to meet DOT requirements. Although DOT requires the information, it does not require that it be completed on a Federal form.

NRC Form 540 and continuation Form 540A were developed by NRC at the request of Low-Level Waste (LLW) industry groups. The completed NRC Form 540 contains information needed to satisfy DOT shipping paper requirements in 49 CFR Part 172 and the waste tracking requirements of the NRC's 10 CFR Part 20. NUREG/BR-0204, Rev. 2, contains instructions for completing NRC Forms 540, 540A, 541, 541A, 542, and 542A.

A. JUSTIFICATION

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

To meet existing regulations, each shipment of LLW, either directly or indirectly, to a licensed disposal facility is currently accompanied by a manifest that describes the shipment contents as required in 10 CFR Part 20 and the DOT regulations in 49 CFR Part 172. Presently, there are four LLW disposal facilities in operation. The detailed information requested on NRC Form 540 will enhance the ability of NRC and State regulatory agencies to control and safely regulate disposal of LLW. Licensees must use NRC Form 540 and related forms pursuant to Appendix G of 10 CFR Part 20.

2. Agency Use of Information

The agency and States require the information on NRC Forms 540 and 540A to meet DOT shipping paper requirements and NRC tracking requirements.

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, or

other means. It is estimated that approximately 95% of the potential responses are filed electronically.

Several software packages are available that can generate NRC Form 540 electronically; however, DOT requires that shipping papers physically accompany the shipment. Therefore, the data for NRC Form 540 cannot be transmitted between waste generators, brokers, and waste disposal facilities solely electronically.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. 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

The required information is necessary from all shippers of LLW. To the extent that small entities may make fewer waste shipments than larger entities, fewer manifests would be required of small entities and their burden would be proportionately less.

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

If the collection is not conducted at all or is conducted less frequently, NRC and State regulatory agencies will not be able to obtain information needed to control and safely regulate disposal of LLW.

7. Circumstances Which Justify Variation from OMB Guidelines

There are no variations from OMB guidelines.

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 July 9, 2013 (78 FR 41116). No comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

This information collection does not involve sensitive questions.

12. Estimated Burden and Burden Hour Cost

It is estimated that 5,740 NRC Forms 540 will be processed annually by 220 NRC and Agreement States licensees. It is assumed all shippers prepare the manifests electronically; therefore, the average burden to complete the form is estimated to be 0.75 hours. The total industry burden for completion of the form is estimated at 4,305 hours annually (5,740 forms x 0.75 hours). Professional personnel will complete this information. Therefore, total cost is estimated to be \$1,179,570 (4,305 hours x \$274/hour).

13. Estimate of Other Additional Costs

The NRC has determined that the quantity of records to be maintained is roughly proportional to the recordkeeping burden and, therefore, can be used to calculate approximate records storage costs. Based on the number of pages maintained for a typical shipment, the records storage cost has been determined to be equal to 0.0004 times the recordkeeping burden cost. Because the recordkeeping burden is estimated to be 0 hours, the storage cost for this clearance is \$00.00 (0 hours x 0.0004 x \$274/hour).

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government will be approximately \$7,000 for manifest printing and distribution. This cost will be fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171. The forms are not submitted to NRC.

15. Reasons for Changes in Burden or Cost

The overall burden increased by 105 hours from 4,200 to 4,305 hours because the number of NRC Forms 540 increased by 140 from 5,600 to 5,740 forms due to the new Texas facility coming online in 2012. The hourly cost for professional staff has increased from \$257/hour to \$274/hour.

16. Publication for Statistical Use

None.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed on the hardcopy form. However, the electronic version of NRC Form 540, provided in software to allow licensees to prepare NRC Form 540 electronically, will not display an expiration date because it would not be possible for the NRC to revise the expiration date of software produced by commercial companies.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of information does not employ statistical methods.