

Section 5

FINAL SUPPORTING STATEMENT FOR PERIODIC RESEARCH AND DEVELOPMENT REPORTS

10 CFR 50.35(b)

DESCRIPTION OF THE INFORMATION COLLECTION

10 CFR 50.35(b) specifies that "The Commission may, in its discretion, incorporate in any construction permit provisions requiring the applicant to furnish periodic reports of the progress and results of research and development programs designed to resolve safety questions."

A. JUSTIFICATION

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

The reports required under 10 CFR 50.35(b) would keep the staff apprised of the progress and findings of licensee research and development programs and increase the likelihood that any safety problems would be resolved in a timely manner.

2. Agency Use of Information

The NRC staff will review information submitted in accordance with 10 CFR 50.35(b) to evaluate the results of research and development programs. This evaluation is to determine what, if any, corrective measures would be appropriate and to develop regulatory procedures, including revisions to existing review processes and possible facility modifications, if necessary. This procedure allows the NRC, by special reference in a facility construction permit, to request information concerning ongoing research and development activities that are in support of a construction permit.

This reporting requirement has not resulted in the submittal of any information from licensees during the past 3 years. However, NRC requests renewal of the clearance for this section in order to receive timely information from licensees on potential new technological developments for both power reactor and fuel reprocessing systems should they occur. Ongoing research and development programs throughout the industry create the possibility of safety-related issues arising at any time. The NRC staff must be able to obtain information from licensees concerning current research projects in order to make informed judgments about the effects of current research on future licensing actions.

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 100% of the potential responses are filed 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

This provision only affects licensees for nuclear power plants and, therefore, does not affect small business.

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

Less frequent collection or not collecting the information at all could mean that research information that could impact future licensing actions might not be available on a timely basis.

7. Circumstances which Justify Variation from OMB Guidelines

This information collection does not vary from OMB guidelines. It is highly unlikely that the periodic reports provided for in 10 CFR 50.35(b) would be required more often than quarterly or required sooner than 30 days after issuance of a construction permit.

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 May 14, 2013 (78 FR 28244). 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). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

This provision does not request sensitive information.

12. Estimated Industry Burden and Burden Hour Cost

There is no anticipated response from industry during the next 3 years. However, if a report was submitted, the total anticipated burden would consist of 100 hours per response at the fee rate to \$274 per 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 clearance, 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.

14. Estimated Annualized Cost to the Federal Government

NRC does not anticipate any responses from industry based on this regulation. Therefore, there is no anticipated cost to the government during the next 3 years.

15. Reasons for Changes in Burden or Cost

There is no change in the burden since the last OMB review. However, the cost may change due to the fee rate increase to \$274 per hour.

16. Publication for Statistical Use

The collected information is not used for statistical purposes.

17. Reason for Not Displaying the Expiration Date

The requirement is 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

Not applicable.