

FINAL SUPPORTING STATEMENT
FOR
REQUEST FOR INFORMATION RELATED TO THE FILTERING STRATEGIES AND
SEVERE ACCIDENT MANAGEMENT OF BOILING WATER REACTORS WITH MARK I AND
MARK II CONTAINMENTS RULEMAKING

(3150-XXXX)

NEW

Description of the Information Collection

The NRC is conducting a rulemaking to review whether additional requirements are necessary for filtering strategies and severe accident management of Boiling Water Reactors (BWR) with Mark I and Mark II containments.

The information being collected is for the Filtering Strategies and Severe Accident Management of BWR with Mark I and Mark II Containment rulemaking (filtering strategies rulemaking). The NRC is requesting specific information, including detailed cost estimates of alternatives, general assumptions from proprietary documents being made public and plant-specific information on BWR with Mark I and Mark II containments.

The NRC requested the information from the Nuclear Energy Institute (NEI) in a letter dated May 21, 2014. To respond to this letter, NEI will obtain information from 30 Boiling Water Reactors.

A. JUSTIFICATION

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

The NRC is requesting this information to inform the filtering strategies rulemaking. The information will be used to inform the draft regulatory basis.

2. Agency Use of Information

The information will be used to inform the filtering strategies rulemaking draft regulatory basis and is being collected by the Office of Nuclear Research (RES) and the Office of Nuclear Reactor Regulation (NRR).

- The detailed cost estimate information will help inform the costs of implementing the various alternatives being analyzed.
- To ensure transparency to members of the public involved in the filtering strategies rulemaking, the BWR Owners Group (BWROG) guidance documents and other related proprietary documents are requested in a non-proprietary format that can be made public.
- The plant-specific information is being used to inform the draft regulatory basis by evaluating models in relation to the design specifications of the plants considered in the rulemaking.

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 all of the potential responses will be 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

Not applicable.

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

If the information is not collected, the NRC will use the best available information to the NRC in developing the draft regulatory basis. This may lead to the use of information that is out-of-date as the basis of the NRC's assumptions. Therefore, the NRC's assumptions may not reflect the current state of BWR with Mark I and Mark II containments.

7. Circumstances Which Justify Variation from OMB Guidelines

Some responses are being requested within 30 days because the information appears to already have been developed, but has not been submitted to the NRC. The information is being requested on the schedule stated due to deadlines for completion of the regulatory basis. Some information was provided more generically at previous public meetings in 2013 and committed to provide more detailed information.

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 June 20, 2014 (79 FR 35386). The NEI submitted comments on this information collection request stating that the information has practical utility and will assist the NRC to properly perform their functions.

The NEI also stated that the burden estimates for the detailed cost estimates were low, but the cost estimates for other activities were high and, thus, could be considered an upper bound of the total costs. Finally, the NEI stated that requesting NEI provide the information ensured that industry was able to complete the information collection in a time and process-efficient manner and kept the burden on the industry to a minimum.

The NRC agrees with NEI's comments on this information collection. However, as the total costs are bounding and no specific comments on the cost were provided, the NRC is not modifying the assumptions for the cost estimate.

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). Some of the information may be proprietary of nature and is, thus, being requested to be provided in a non-proprietary format.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Burden and Burden Hour Cost

The NRC estimates the one-time burden associated with the filtering strategies rulemaking request for information will be 2,140 hours and 34 responses. This represents an annualized burden of 713.3 hours and 11.33 responses. The estimated annual cost is \$194,018 (713.3 hours x \$272/hr¹).

¹NOTE: The NRC's hourly rate is contained in the NRC's Annual Revision of Fee Schedules; Fee Recovery Final Rule (published June 30, 2014, 79 FR 37123); which is used to determine burden cost associated with the NRC's information collection activities. The final rule amends the licensing, inspection and annual fees charged to applicants and licensees. These amendments are necessary to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), which requires the NRC to recover approximately 90 percent of its budget authority through fees. Over the past 40 years, the NRC has assessed and continues to assess, fees to applicants and licensees to recover the cost of its regulatory program. The NRC's cost recovery principles for fee regulations are governed by two major laws: 1) the Independent Offices Appropriations Act of 1952 (IOAA) (31 U.S.C. 483 (a)); and 2) OBRA-90 (42 U.S.C. 2214), as amended.

The NRC's hourly rate is used in assessing full cost fees for specific services provided, as well as flat fees for certain application reviews. The hourly rate is derived by dividing the sum of recoverable budgeted resources for 1) mission-direct program salaries and benefits; 2) mission-indirect program support; and 3) agency corporate support and the Inspector General, which are all agency indirect costs. The mission-direct FTE hours are the product of the mission-direct FTE multiplied by the hours per direct FTE. The only budgeted resources excluded from the hourly rate are those for contract activities related to mission-direct and fee relief activities.

Requirement	No. of Respondents	Responses per Respondent	Number of Responses	Burden Hours per Response	Total Annual Burden Hours	Cost at \$272/hr
Detailed Cost Estimates	1.0	1.0	1.0	80.0	80.0	\$ 21,760
BWROG EPG/SAG and related documents	1.0	1.0	1.0	400.0	400.0	\$ 108,800
Plant-specific information	30.0	1.0	30.0	50.0	1500.0	\$ 408,000
NEI coordination	1.0	1.0	1.0	80.0	80.0	\$ 21,760
Questions and clarifications of data provided	1.0	1.0	1.0	80.0	80.0	\$ 21,760
TOTAL			34.0		2140.0	\$ 582,080

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The estimated amount of technical staff is expected to be 40 hours and \$3,627 annually (40 hours x \$272/hr²).

15. Reasons for Change in Burden or Cost

The NRC is requesting approval for a collection of information on the filtering strategies rulemaking relating to detailed cost estimates of proposed alternatives, major assumptions of the BWROG proprietary documents, and plant-specific data for BWR Mark I and Mark II containments. This new collection will add 713.3 hours of annual burden to NEI and 30 BWR licensees.

16. Publication for Statistical Use

²NOTE: The NRC's hourly rate is contained in the NRC's Annual Revision of Fee Schedules; Fee Recovery Final Rule (published June 30, 2014, 79 FR 37123); which is used to determine burden cost associated with the NRC's information collection activities. The final rule amends the licensing, inspection and annual fees charged to applicants and licensees. These amendments are necessary to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), which requires the NRC to recover approximately 90 percent of its budget authority through fees. Over the past 40 years, the NRC has assessed and continues to assess, fees to applicants and licensees to recover the cost of its regulatory program. The NRC's cost recovery principles for fee regulations are governed by two major laws: 1) the Independent Offices Appropriations Act of 1952 (IOAA) (31 U.S.C. 483 (a)); and 2) OBRA-90 (42 U.S.C. 2214), as amended.

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Not applicable.

17. Reason for Not Displaying the Expiration Date

Not applicable.

18. Exceptions to the Certification Statement

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable