



U.S. Energy Information Administration

Office of Energy Analysis

**Office of Electricity, Coal, Nuclear and Renewables
Analysis**

Supporting Statement for Survey Clearance

Standard Remittance Advice for Payment of Fees (NWPA-830G)

OMB No. 1901-0260

Background and Proposal

Part A

Original Date: May 2015

Standard Remittance Advice for Payment of Fees Supporting Statement, Part A

Table of Contents

INTRODUCTION.....1

PROPOSED CHANGES TO NWPA-830G DATA COLLECTION.....2

JUSTIFICATION.....3

1. Legal Authority.....3

2. Needs and Uses of Data.....4

3. Use of Information Technology.....5

4. Efforts to Identify Duplication and Analysis of Similar Existing Information.....5

5. Burden Reduction for Small Businesses and Small Entities.....6

6. Consequences of Less Frequent Reporting.....6

7. Special Circumstances.....6

8. Summary of Consultation Outside EIA.....6

9. Remuneration.....6

10. Disclosure of Information.....6

11. Justification for Questions of a Sensitive Nature.....7

12. Estimate of Respondent Burden (Hours and Cost).....7

13. Estimates of Annual Cost to the Government.....8

14. Changes in Burden to Respondents.....9

15. Data Collection and Publication.....9

16. Display of Expiration Date and OMB Number.....9

Standard Remittance Advice for Payment of Fees Supporting Statement, Part A

INTRODUCTION

This request is for the Office of Management and Budget (OMB) approval of a three-year extension of the Form NWPA-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 U.S. 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 NWPA-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 OMB, DOE, and U.S. Energy Information Administration (EIA) information quality guidelines.

The Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees,” is a mandatory form designed to serve as the source document for entries into DOE accounting records to transmit data from purchasers to DOE concerning payment of the Spent Nuclear Fuel Disposal Fee 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, and the total fee. The form also includes associated fee data including adjustments from previous quarters, interest, and credits.

In November 2013, a federal appeals court ruled that DOE must cease collection of the Spent Nuclear Fuel Disposal Fee. DOE determined that, effective May 16, 2014, the fee is 0.0 Mil per kilowatt-hour, ultimately reducing to zero the quarterly collection of fees from domestic generators of nuclear electricity. Electricity generated and sold prior to May 16, 2014 remains subject to the current fee of 1.0 Mil per kilowatt-hour. In a letter dated May 12, 2014, DOE, through its Office of the General Counsel, informed signatories to the Standard Contract that they must continue to submit quarterly net electricity generation data on Appendix G. Furthermore, GC has directed EIA to continue activities associated with the collection and

verification of net electricity generation data and estimation of the spent nuclear fuel disposal fees that would otherwise accrue from this generation.

If a fee, based on the electricity generated and sold, is reinstated, EIA will document fees paid, as recorded on the Remittance Advice forms with data maintained on the DOE Office of Finance and Accounting's (CF-11) Consolidated Accounting and Investment System (CAIS).

The Annex A to Appendix G is used to provide the data used in calculating the amount of net electricity generated and sold, upon which the spent nuclear fuel disposal fees are based (whether using the former fee rate of 1.0 Mil per kilowatt-hour or current fee rate of 0.0 Mil per kilowatt-hour). 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 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. Appendix B, which collected data on a one-time fee based on spent nuclear fuel discharged or in the reactor core as of April 6, 1983, is no longer used; those data 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 and are therefore not part of this survey clearance. Appendix E contained a series of definitions and specifications and no data were collected

PROPOSED CHANGES TO NWPA-830G DATA COLLECTION

Respondents to the Appendix G are domestic generators of nuclear electricity. Appendix G contains Spent Nuclear Fuel Disposal Fee payment data based on each respondent's net electricity generated and sold. Data collected include the net electricity generated and sold in megawatt-hours, the current fee rate (in dollars per megawatt-hour), and the total fee due. The form also includes associated fee data including adjustments from previous quarters, interest, and credits.

Proposed changes to the Form NWPA-830G are associated with the above-referenced fee reduction and apply to the relevant sections of the Appendix G, the Annex A to Appendix G, and associated instructional documentation.

Specific proposed changes are as follows:

Appendix G

No substantive changes are proposed (Annex G is a “fillable” PDF on which respondents enter the \$0/MWh fee rate).

Appendix G, Instructions

Section 3, Item 3.3: Delete specification of the actual Current Fee Rate to both reflect the fee reduction and accommodate any subsequent fee rate revision.

Annex A to Appendix G

Section 4, Item 4.2: the Current Fee Rate of \$1/MWh is deleted; this space is left blank to both reflect the fee reduction and accommodate any subsequent fee rate revision (thereby obviating the need for an out-of-sequence OMB clearance). Immediately below Item 4.2, change “Current Fee Rate (Dollars)” to “Current Fee Rate (dollars per megawatt-hour).”

Annex A to Appendix G, Instructions

Section 4, Item 4.3: Delete reference to an actual current fee to both reflect the fee reduction and accommodate any subsequent fee rate revision.

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 here:

http://energy.gov/sites/prod/files/gcprod/documents/New_Standard_Contract.pdf

2. Needs and Uses of 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 collects information on net electric power generation and serves as the basis for DOE to make a determination on the payment of fees into the Nuclear Waste Fund. The data are used by DOE's Office of the Chief Financial Officer, Energy Finance and Accounting Service Center to verify the amounts of these payments. Appendix G data provide 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 U.S. Energy Information Administration (EIA), 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 reported on Annex A to Appendix G are used by EIA to verify consistency with data reported on other surveys, or as a source of energy loss and pumped storage data that may not be available on other surveys. The requirement to check for data consistency across sources for net electricity generation is discussed in the Final Rule on the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste, 56 FR 67648 (December 31, 1991) and the proposed Management Plan for EIA's support activities to the Nuclear Waste Policy Act Project Office (NWPAPPO), dated September 16, 1983. Adjustment factor data are used to determine energy losses and the distribution of electricity sales between sales for resale and sales to ultimate consumers. Data from the Appendix G and Annex A to Appendix G forms are not made available to users outside of DOE.

3. Use of Information Technology

EIA continues to use information technology to improve reporting options. Beginning in 1999, DOE distributed an automated software package, the Remittance Advice Reporting System (RAPS), to the NWPA-830G respondents to reduce reporting burden. This computer-based system required respondents to enter only those data that changed from quarter to quarter, and provided computer-generated Remittance Advice forms in lieu of the four-part Appendix G and Annex A to Appendix G forms, which had previously been supplied as paper forms.

In mid-2013, DOE replaced RAPS with an online fillable PDF version of the Remittance Advice forms. While respondents may continue to use the RAPS software, they are responsible for ensuring that all data and calculations are correct. Completed Remittance Advice forms must be printed out, signed, and returned to DOE in accordance with the provisions of the Standard Contract.

4. Efforts to Identify Duplication and Analysis of Similar Existing Information

As part of a continuing effort to avoid duplication, 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.

Monthly and annual net electricity data are collected on other EIA surveys, including the Form EIA-860, Annual Electric Generator Report, the Form EIA-860M, Monthly Update to the Annual Electricity Generator Report, and the Form EIA-923, Power Plant Operations Report (with both monthly and annual collections). However, the Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees,” including Annex A to Appendix G, is the only source of quarterly net electricity data. While it may appear that the quarterly data may be obtained by simply summing monthly or apportioning annual data from the 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 Form NWPA-830G. The reporting of this quarterly data also ensures a complete audit trail of fee payment supporting data. Because fee data are primarily used by DOE’s Energy Finance and Accounting Service Center and the Office of Standard Contract Management, it is imperative that all data are available on a single form. U.S. nuclear electricity generation capacity and spent fuel storage data are available from the Nuclear Regulatory Commission (NRC); however, the NRC data do not include several variables required to determine the amount of net electricity generated and sold, on which fees paid into the Nuclear Waste Fund are based.

5. Burden Reduction for Small Businesses and Small Entities

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. Prior to the fee reduction, this helped ensure the accuracy of the mandated fees and minimized interest payments when errors were made. DOE requires continued quarterly collection to verify net electricity generation data and estimates of the spent nuclear fuel disposal fees that would otherwise accrue from this generation.

7. Special Circumstances

There are not any special circumstances for the NWPA-830G data collection.

8. Summary of Consultation Outside EIA

A Federal Register notice ([80 FR 36536](#)) was published June 25, 2015, 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. EIA received no comments to the Federal Register notice.

Summary of Responses to Federal Register Notice of June 25, 2015:

As of August 25, 2015, there were no responses to the Federal Register Notice.

9. Remuneration

There are no provisions for payments to respondents.

10. Disclosure of Information

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 DOE. 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, DOE regulations implementing the FOIA, 10 C.F.R. §1004.11, and the Trade Secrets Act, 18 U.S.C. §1905.

The Federal Energy Administration Act requires 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 DOE’s 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. Justification for Questions of a Sensitive Nature

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

12. Estimate of Respondent Burden (Hours and Cost)

The estimate of respondent burden for the Form NWPA-830G, “Appendix G - Standard Remittance Advice for Payment of Fees,” including Annex A to Appendix G, is listed in Table A1. The overall annual respondent burden is estimated to be 2,000 hours for 2015. The estimated costs to respondents for the burden hours are estimated to be \$143,940 (2,000 hours times \$71.97 per hour) for 2015. An average cost per hour of \$71.97 is used because that is the average loaded (salary plus benefits) cost for an EIA employee assigned to data survey work at the time of this writing. EIA assumes that the survey respondent workforce completing surveys for EIA is comparable with the EIA workforce.

Table A1 Estimated Respondent Burden

Form NWPA-830G, Estimate of Respondent Burden					
Form	Number of Respondents	Number of Reports Filed Annually	Total Responses	Hours per Response	Total Hours
NWPA-830G	100	4	400	5	2,000
Total Annual Burden					2,000 hours

The estimated burden of five 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. Estimates of Annual Cost to the 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 \$208,125, as listed in Table A2. This total represents the approximate share of costs for activities related specifically to the Form NWPA-830G, funding for which is grouped with the Form GC-859, “Nuclear Fuel Survey.” Combined funding is \$555,000, which includes the cost of one EIA employee at \$155,000 and \$400,000 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.

Table A2 Estimated Annual Cost Summary

Form NWPA-830G Estimated Annual Cost Summary			
	<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	\$56,250	Includes providing support to respondents
4	Analysis Costs	\$114,375	
5	Publication Costs	\$0	Data are not made available to the public
6	Other Costs	\$37,500	Includes work with the Office of Standard Contract Management and the Energy Finance and Accounting Service Center
	Total Costs	\$208,125	

14. Changes in Burden to Respondents

It is estimated that there will be a reduction 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, to 2,000 hours per year, the result of a reduction in the number of respondents.

15. Data 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.

16. Display of Expiration Date and OMB Number

The OMB Number (1905-0260) and expiration date will be displayed on all the data collection forms and instructions.