

FINAL SUPPORTING STATEMENT
FOR
NRC ONLINE FORM, "REQUEST FOR ALTERNATIVE UNDER 10 CFR Part 50.55a(z)(1)
and 10 CFR 50.55a(z)(2)"

(3150-0244)

REVISION

DESCRIPTION OF THE INFORMATION COLLECTION

10 CFR 50.55a incorporates by reference Division 1 rules of Section III, "Rules for Construction of Nuclear Power Plant Components," and Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (B&PV Code); and the rules of the ASME "Code for Operation and Maintenance of Nuclear Power Plants" (OM Code). These rules of the ASME B&PV and OM Codes set forth the requirements to which nuclear power plant components are designed, constructed, tested, repaired, and inspected.

The regulations under 10 CFR 50.55a(z) allow applicants to use alternatives to the requirements of 10 CFR 50.55a paragraphs (b) through (h) when authorized by the NRC. NRC currently collects information related to requests for alternatives under 10 CFR Part 50.55a through the information collection covered by OMB Control No. 3150-0011.

To facilitate licensees' requests for alternatives to the requirements in the above regulations, the NRC provides an online portal which allows licensees to establish corporate level and individual profile pages from which licensing actions can be managed. One specific feature included in the portal is the ability to develop and submit the required information for a specific alternative request under 10 CFR 50.55a(z) utilizing an enhanced form and included attachment capabilities. The use of the online portal and enhanced form supplements the existing submission mechanisms for this information collection.

The NRC has revised the portal intake form to improve its usability and efficiency. The NRC combined similar form fields, added a field to allow licensee to submit sensitive information, removed redundant fields, and removed fields that are no longer applicable because of the new licensee authentication process and the form's conversion to rich text capability. The NRC also enhanced the form's capability to add attachments, and the NRC added, per the industry's request, options to easily withdraw a request and clone a request for efficient generation of new requests.

The development of alternative requests under 10 CFR Part 50.55a is covered by existing information collections. This information collection only addresses the burden to complete and submit the online form.

This information collection applies to all holders of, and certain applicants for, nuclear power plant construction permits and operating licenses under the provisions of 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities" who use alternatives to the requirements of 10 CFR 50.55a paragraphs (b) through (h), and applies to an applicant for or holder of an operating license or construction permit issued under part 50, an applicant for a standard design certification under part 52 (including an applicant after the Commission has

adopted a final design certification regulation), or an applicant for or holder of a standard design approval, a combined license when authorized by the NRC.

A. JUSTIFICATION

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

10 CFR Part 50.55a incorporates by reference the ASME B&PV and OM Codes that set forth the requirements to which nuclear power plant components are designed, constructed, tested, repaired, and inspected. NRC is introducing a revised, optional online form to simplify filing and reduce burden for licensees submitting requests for alternatives to the requirements of 10 CFR 50.55a under 10 CFR 50.55a(z). Licensees will retain the option to file applications using the existing mechanisms, should they so choose.

The information collected by the online form is needed by NRC to make a determination on the acceptability of the licensee's request for an alternative. The information being collected by the online form is the same as the information that licensees currently submit when they file requests for alternatives under 10 CFR Part 50.55a. In addition to the online form, licensees can currently submit their alternative requests through the NRC's Electronic Information Exchange or by mail.

2. Agency Use of Information

The NRC uses the information collected by this form to determine that licensees' requests for alternatives satisfy the requirements of 10 CFR 50.55a(z) and demonstrate (1) an acceptable level of quality and safety; or (2) a hardship without a compensating increase in quality and safety. The NRC will evaluate the information collected by this form in the same way that it evaluates information that licensees currently submit when they file requests for alternatives under 10 CFR Part 50.55a.

3. Reduction of Burden through Information Technology

The requested information will be submitted via the web-based electronic form. The added capabilities within the portal will allow licensees to reduce repetitive demographic information inputs and provide a platform for document development and peer review within the system. It is estimated that up to 100 percent of the responses may be filed electronically.

4. Efforts to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

NRC staff estimates that no respondents will be small businesses.

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

If the collection were not conducted, there would not be an online form option to supplement the existing reporting mechanisms. If the online form is not available to

licensees to use to submit their requests, there may be greater burden on the licensees, in terms of time and resources, to submit requests through existing methods.

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 July 2, 2021, (86 FR 35368). Additionally, NRC staff contacted eight stakeholders via email. The stakeholders were operating reactor owner licensee representatives and interested stakeholders from Arizona Public Service Co., Duke Energy Carolinas, LLC, Energy Harbor Nuclear Corp., Entergy Nuclear Operations, Inc., Exelon Generation Co., LLC, Florida Power & Light Co., PSEG Nuclear, LLC and Southern Nuclear Operating Co. No responses or comments were received as a result of the FRN or the staff's direct solicitation of comments.

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).

11. Justification for Sensitive Questions

No sensitive information is requested. If sensitive information is provided by licensees within these submittals there are processes for appropriate marking them non-public for security reasons or marking sections as "proprietary" per 10 CFR 2.390(b).

12. Estimate of Industry Burden and Costs

The use of the online form is expected to streamline the alternative request submission process and potentially reduce the burden to submit a request. The estimate to submit the alternative request using the online form is 6 hours per request. The NRC estimates approximately 89 power reactor licensees who will submit three requests annually, and 8 Combined License Holders, 2 Construction Permit Holders, and 5 Design Certification Rule holders will submit two requests annually for a potential total of 297 responses [(89 x 3 = 267) + (15 x 2 = 30) = 297]. As stated, the estimated burden per response is 6 hours, the total annual industry burden is estimated to be 1,782 hours at a cost of \$497,178 (1,782 hours x \$279/hr), see burden table.

Burden Table

	Number of Respondents	Responses per Respondent	Total Responses	Burden per Response	Total Annual Burden Hours	Cost at \$279/hour
Power Reactor Licenses	89	3	267	6	1,602	\$446,958
Part 52 Holders /Applicants	15	2	30	6	180	\$50,220
Total	104	-	297	-	1,782	\$497,178

The \$279 hourly rate used in the burden estimates is based on the Nuclear Regulatory Commission’s fee for hourly rates as noted in 10 CFR 170.20 “Average cost per professional staff-hour.” For more information on the basis of this rate, see the Revision of Fee Schedules; Fee Recovery for Fiscal Year 2020 (85 FR 37250, June 19, 2020).

13. Estimates of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government in reviewing the technical and regulatory adequacy of the alternative request is 5,940 hours (297 requests x 20 hours/report) x \$279 per hour = \$ 1,657,260.

15. Reasons for Change in Burden or Cost

The previous estimate of 4 hours per online form request was increased to 6 hours to reflect additional hours needed for licensees who will utilize the new features in the form, i.e., a field to allow licensee to submit sensitive information, as well as the capability to add attachments to build their alternative request from scratch vs. copying over from an existing version into the form.

Additionally, the NRC staff identified additional potential respondents that were not included in the previous clearance. These include ... in accordance with 10 CFR Part 50, which states “...applicant for or holder of an operating license or construction permit issued under this part, applicant for a standard design certification under part 52 of this chapter (including an applicant after the Commission has adopted a final design certification regulation), or an applicant for or holder of a standard design approval, a combined license...”, are potential respondents, thus were added as such, increasing the number of responses from 218 in the previous cycle to 297 for this cycle.

The NRC fee rate has increased from \$278 to \$279 per hour.

16. Publication for Statistical Use

None.

17. Reasons for Not Displaying the Expiration Date

The expiration date is displayed on the online form.

18. Exceptions to the Certification Statement

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

Statistical methods have not been used in this collection of information.