

FINAL SUPPORTING STATEMENT FOR
COMPREHENSIVE DECOMMISSIONING PROGRAM ANNUAL
SITE LIST AND POINT OF CONTACT

EXTENSION

(3150-0206)

Description of the Information Collection

Section 274 of the Atomic Energy Act recognizes the need and establishment of programs for cooperation between the U.S. Nuclear Regulatory Commission (NRC) and the States to control the radiation hazards associated with the use of radioactive materials. To further the objective of cooperation in the decommissioning program area, on an annual basis Agreement States will be asked to provide a list of sites undergoing decommissioning, and a point of contact for information about uranium recovery and complex materials sites undergoing decommissioning that are regulated by the Agreement States. The information request will allow the NRC to compile, in a centralized location, a list of facilities and points of contact who can provide information regarding Agreement State sites undergoing decommissioning in the United States.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection Information

In 1959, Section 274 of the Atomic Energy Act was enacted to provide a statutory basis under which the federal government could relinquish to the States portions of its regulatory authority. The amendments made it possible for the States to license and regulate byproduct, source material, and small quantities of special nuclear material, to include the decommissioning of materials facilities (nuclear reactors were excluded) that possess, process, or otherwise handle radioactive materials. The mechanism for the transfer of NRC's authority to a State is an agreement between the Governor of the State and the NRC. To date, there are 39 Agreement States.¹ Currently, there are a number of sites that are undergoing decommissioning under the jurisdiction of the Agreement States. As part of the NRC's comprehensive decommissioning program, a list of sites undergoing decommissioning and point of contact information for uranium recovery and complex materials sites undergoing decommissioning, under the jurisdiction of the Agreement States, is being requested by the NRC.

This information will be used by the NRC to ensure accurate site information is accessible to interested stakeholders.

2. Agency Use of Information

The annual identification of decommissioning sites and contacts for decommissioning in the individual Agreement States will enable the NRC to enhance openness and provide the public a means to obtain up-to-date information on decommissioning sites within the United States. The site and

¹ Agreement States include: AL, AR, AZ, CA, CO, FL, GA, IA, IL, KS, KY, LA, MA, MD, ME, MN, MS, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI and WY

contact information will also be used to obtain up-to-date information on sites in preparing responses to congressional inquiries and requests for information from other sources. There is no source for obtaining such necessary information other than from the Agreement States.

3. Reduction of Burden Through Information Technology

The NRC has issued [Guidance for Electronic Submissions to the NRC](#) which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished via the following avenues: the Electronic Information Exchange (EIE) process, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (OSM) (e.g., CD-ROM, DVD), or by email. It is estimated that approximately 100 percent of the potential responses are filed electronically.

4. Efforts to Identify Duplication and Similar Use Information

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

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

The information collection is an annual action, which addresses the need for a list of decommissioning sites and points of contact to provide information on sites regulated by the Agreement States. The consequences of not collecting current Agreement State site and contact information on the uranium recovery and complex materials decommissioning sites within the Agreement States could potentially impact the American public's confidence that the U.S. program for the decommissioning of uranium recovery and complex materials sites is being effectively overseen.

7. Circumstances Which Justify Variation from Office of Management and Budget Guidelines

Not applicable.

8. Consultation Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on November 21, 2023 (88 FR 81111). Representatives of five Agreement States were specifically contacted via email to offer the opportunity to provide feedback on this information collection. No comments were received in response to these consultations or Federal Register Notice.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

The NRC is not requesting that the Agreement States submit any sensitive or confidential information as part of this information collection.

11. Justification for Sensitive Questions

Not applicable.

12. Estimated Burden and Burden Hour Cost

The NRC will issue one request annually to 39 Agreement States. It is estimated that 20 respondents from the 39 Agreement States will have sites undergoing decommissioning under the jurisdiction of their State, and the remaining 19 respondents will have no sites undergoing decommissioning under jurisdiction of their State. Each Agreement State will provide one response that includes a list of all uranium recovery and complex materials sites undergoing decommissioning within the State and a point of contact for each site. The NRC anticipates receiving a total of 39 responses.

The burden for the response for each Agreement State with sites undergoing decommissioning should be the same regardless of the number of sites undergoing decommissioning. The average annual burden to provide the voluntary responses to the NRC is two hours for each of the 20 Agreement States with sites undergoing decommissioning. The 2-hour estimate is based on NRC staff experience in identifying decommissioning sites and contacts for other activities and is consistent with the previous burden estimate.

The identification of an updated list of uranium recovery and complex materials sites undergoing decommissioning and points of contact for each site continues to allow interested stakeholders to obtain up-to-date information directly from the regulatory authority for the site. The estimated annual burden for the 20 Agreement State respondents is 40 hours (20 Agreement States x 2 hours).

	NO. OF RESPONDENTS	RESPONSES PER RESPONDENT	TOTAL RESPONSES	ANNUAL BURDEN PER RESPONSE (hours)	TOTAL ANNUAL BURDEN (hours)
Agreement States With Sites of Interest	20	1	20	2	40

The 19 Agreement State respondents with no sites of interest will each provide one response to this request. As a result, the NRC anticipates receiving 19 voluntary responses from these respondents confirming there are no uranium

recovery or complex materials sites undergoing decommissioning within the State. The average annual burden for each of these 19 respondents to verify whether they have any uranium recovery and complex materials sites undergoing decommissioning under their purview is 0.5 hours. This estimate is based on NRC staff experience in identifying decommissioning sites for other activities. The burden for Agreement States with no sites of interest is lower than the burden for States with sites of interest because these States only report that they have no sites of interest and do not need to provide point of contact information. The estimated annual burden for the 24 Agreement States respondents is 12 hours (24 Agreement States x 0.5 hours).

	NO. OF RESPONDENTS	RESPONSES PER RESPONDENT	TOTAL RESPONSES	ANNUAL BURDEN PER RESPONSE (hours)	TOTAL ANNUAL BURDEN (hours)
Agreement States With No Sites of Interest	19	1	19	0.5	9.5

The total number of anticipated responses is 39. The annual cost is estimated to be \$14,355 (\$290/professional staff hour x 49.5 staff hours). State pay rates are assumed to be equal to the Federal pay rates shown in Item 14.

The \$290 hourly rate used in the burden estimates is based on the NRC'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 2022 (87 FR 37197, June 22, 2022).

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

Based upon staff estimates, the NRC will spend approximately 20 professional hours annually on the exchange of information related to uranium recovery and complex materials sites undergoing decommissioning with the Agreement States. This includes the time spent compiling and processing the Agreement State responses for recordkeeping purposes at the conclusion of the collection and updating the related information on the NRC's public website. Using the staff hourly rate of \$290, the annual cost to the NRC is approximately \$5,800 (20 annual professional hours x \$290/hour rate).

15. Reasons for Change in Burden

The estimated burden has increased by nine hours from 40.5 to 49.5 hours. The burden has changed due to an increase in the number of Agreement States with sites of interest (from 14 to 20); that is, uranium recovery or complex materials sites undergoing decommissioning. All Agreement States are requested to

complete one response annually, but additional Agreement States with sites of interest providing a list of decommissioning sites and a point of contact for those site increases the overall burden when compared to the reporting for Agreement States with no sites of interest.

16. Publication for Statistical Use

Currently, there are no plans to publish this information for statistical use.

17. Reason for Not Displaying the Expiration Date

The expiration date is shown on the letter requesting the information from Agreement States.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this collection of information.