

FINAL OMB 1SUPPORTING STATEMENT FOR
NRC Form 833, Form To Propose A Generic Issue

3150-XXXX

NEW

Abstract

NRC Form 833 is used for submission of a proposed generic safety issue that has potential for affecting two or more nuclear facilities. The form calls for information on the nature of the postulated issue and why it represents a potential generic unresolved safety issue. The issue may affect public health, safety, common defense and security, or environment; and it is not being addressed by other regulatory processes.

A. JUSTIFICATION

1. Need For the Collection of Information

The regulatory basis for NRC's generic issues program is based on the Energy Reorganization Act of 1974 as amended by Congress through Public Law 95-209 to include, among other things, a new Section 210, "Unresolved Safety Issues". To meet both Commission and Congressional directives, the staff developed a program to address Section 210 of the Energy Reorganization Act of 1974 as described in 43 FR 1565; January 10, 1978, "Program for Resolution of Generic Issues Related to Nuclear Power".

NRC Form 833, "*Form to Propose a Generic Issue*," is a voluntary method for stakeholders to submit a proposed generic safety issue to NRC. The information is needed for describing the situation, condition, cause and significance of occurrence or adverse consequence affecting nuclear safety at multiple nuclear facilities. The proposed issue would potentially affect public health, safety, common defense and security, or environment and it is not addressed by existing regulations and guidance.

2. Agency Use and Practical Utility of Information

The information called for in Form 833 is needed to assess the assertion that there is a potential generic safety issue affecting multiple nuclear facilities. This is done through screening against seven screening factors that are specified in NRC Management Directive 6.4, "Generic Issues Program". The information must be complete enough to do the screening and Form 833 provides such a structure.

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. Electronic submission of Form 833 offers a vehicle to use modern information technology. This does not preclude the public from

submitting a potential generic unresolved safety issue via regular mail to the NRC although 100% of submissions are estimated to be electronic.

4. Effort to Identify Duplication and Use Similar Information

There is no duplication of requirements for submission of proposed generic issues related to NRC's responsibilities under the Atomic Energy Act as Amended in 1977.

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 stakeholders do not provide the information, it will be impossible for the NRC to assess whether there is a potential generic safety issues affecting nuclear facilities. Since the submission of an NRC Form 833 regarding a specific potential generic issue is a one-time event, the information cannot be collected less frequently.

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 December 21, 2023 (88 FR 88422). Comments were solicited from Brett Titus of EPRI, Emma Wong of OECD, Lesa Hill of Southern State Nuclear and Harold Scott, a retired NRC employee via email. One comment was received that was out of scope and none were received from the Federal Register Notice.

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).

11. Justification for Sensitive Questions

Not Applicable

12. Estimated Burden and Burden Hour Cost

It is estimated that it takes about 1 hour to complete a form and 1 form will be submitted annually. The total estimated burden for the approximately 1 form received annually is 1 hour (1 hour x 1 form). The estimated annual cost is \$300 (1 hour x \$300/hour).

The \$300 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 2023 (88 FR 39120, June 15, 2023).

13. Estimate of Other Additional Costs

There are no additional costs.

14. Estimated Annualized Cost to the Federal Government

The burden to the federal government to review and disposition a submitted Form 833 is estimated to be 40 hours. It is estimated that one proposed generic issue will be submitted annually with a cost to the Federal Government of \$12,000 (40 hours x \$300/hour).

15. Reasons for Change in Burden or Cost

This is a new collection

16. Publication for Statistical Use

Not applicable

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed on the form.

18. Exceptions to the Certification Statement

None requested.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable