



*Independent Statistics & Analysis*

U.S. Energy Information  
Administration

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# Supporting Statement for Uranium Data Program

## **Part A: Justification**

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*Form EIA-851A Domestic Uranium Production Report (Annual)*

*Form EIA-851Q Domestic Uranium Production Report (Quarterly)*

*Form EIA-858 Uranium Marketing Annual Survey*

**OMB No. 1905-0160**

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U.S. Department of Energy

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## Introduction

The U.S. Energy Information Administration (EIA) is the statistical and analytical agency within the U.S. Department of Energy (DOE). It collects, analyzes, and disseminates independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding regarding energy and its interaction with the economy and the environment.

EIA is requesting a three-year extension to Forms EIA-851A, EIA-851Q, and EIA-858, with change.

Three uranium surveys comprise EIA's *Uranium Data Program* (UDP). The surveys collect statistical data on domestic uranium supply and demand activities including production, exploration and development, trade, purchases, and sales available to the U.S. The UDP surveys include:

- Form EIA-851A *Domestic Uranium Production Report (Annual)*, collects annual data from the U.S. uranium industry on uranium milling and processing, uranium feed sources, uranium mining, employment, drilling, expenditures, and uranium reserves.
- Form EIA-851Q *Domestic Uranium Production Report (Quarterly)*, collects data from the U.S. uranium industry on uranium production and sources (mines and others) on a quarterly basis.
- Form EIA-858 *Uranium Marketing Annual Survey*, collects annual data from the U.S. uranium market on uranium contracts and deliveries, inventories, enrichment services purchased, uranium in fuel assemblies, feed deliveries to enrichers, and unfilled market requirements. Uranium deliveries, feed deliveries to enrichers, and unfilled market requirements are reported both for the current reporting year and for the following ten years.

### Summary of Changes:

Due to the continued downturn in the uranium landholding/exploration/production sectors, EIA-851A had four fewer respondents which reduced the burden hours to 20. The addition of one trader/broker on the EIA-858 survey will result in 26 additional burden hours. A reduction of 20 burden hours (EIA-851A had four fewer respondents) plus an increase of 26 burden hours (for one additional respondent in EIA-858) will lead to a 6-hour increase in the total estimated burden across all three surveys. The number of respondents for Form EIA-851A has decreased from 30 to 26. The number of respondents for the Form EIA-851Q has remained at 11. The number of respondents for the Form EIA-858 has increased from 61 to 62. Total annual burden hours across all uranium surveys will increase slightly from 1,769 hours to 1,775 hours.

## A.1. Legal Justification

The authority for this mandatory data collection is provided by the following provisions:

- Title 15 U.S. Code §772, which established the mandatory requirement of owners and operators of businesses in the U.S. to report energy supply and consumption data to the EIA Administrator.

- Title 15 U.S. Code §764, which established the EIA Administrator's powers to plan, direct, and conduct mandatory and voluntary energy programs that are designed and implemented in a fair and efficient manner. These powers include duties to collect, evaluate, assemble, and analyze energy information on U.S. reserves, production, demand, and related economic data, while obtaining the cooperation of business, labor, consumer, and other interests.
- Title 15 U.S. Code §790a, which established the National Energy Information System (NEIS) that is the enclave containing the energy data collected by EIA, which allows EIA to describe and analyze energy supply and consumption in the U.S. NEIS allows EIA to perform statistical and forecasting activities to meet the needs of the U.S. Department of Energy and Congress, as well as the needs of the States to the extent required by the Natural Gas Act [Title 15 U.S. Code §717 et seq.] and the Federal Power Act [Title 16 U.S. Code §791a et seq.].

## A.2. Needs and Uses of Data

EIA's *Uranium Data Program* collects data on domestic uranium supply and demand activities, including production, exploration and development, trade, and purchases and sales available to the U.S. The users for these data include the Congress and Congressional staff, the Congressional Research Service, the Nuclear Regulatory Commission, the Department of Energy's Office of Nuclear Energy, the nuclear and uranium industry, and the public. There are Executive Branch agencies that collect data related to the uranium industry which rely on UDP (listed on page 4).

The data collected on Form EIA-851A *Domestic Uranium Production Report (Annual)*, are used to publish annual information on:

- Exploration and development of drilling activities in the U.S. uranium production industry including data on the number of holes and drilling footage;
- U.S. uranium mine production and number of operating mines;
- Activities at U.S. uranium mills, heap leach, and in-situ leach plants including uranium concentrate production and shipments;
- Owner, location, capacity, and operating status of existing and planned uranium concentrate facilities;
- Employment in the U.S. uranium production industry by exploration, mining, milling, processing, and reclamation categories, and by state;
- Expenditures for land, exploration, drilling, production, and reclamation in the U.S. uranium production industry;
- U.S. uranium reserve estimates by mining method, state, and status.
- U.S. questionnaire input to the *Uranium Resources, Production and Demand* "Red Book" (OECD/Nuclear Energy Agency and International Atomic Energy Agency);
- U.S. questionnaire input to the *Nuclear Energy Data* "Brown Book" (OECD/Nuclear Energy Agency);
- U.S. input for the *U.S. Country Nuclear Power Profile* (International Atomic Energy Agency);
- In March 2012, EIA, and U.S. Geological Survey (USGS) entered into a Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) Information Access Agreement to support USGS studies. This agreement allows individually identifiable information submitted to EIA to be shared with USGS for statistical purposes only. Form EIA-851A data is used by the

USGS to calculate grade/tonnage curves of existing uranium resources including undiscovered uranium resources.

The data collected on Form EIA-851Q *Domestic Uranium Production Report (Quarterly)*, are used to publish quarterly information on:

- U.S. production of uranium concentrate from ore and/or solutions from different methods of mining, including in-situ leaching, open pit, underground, heap leach, and other sources;
- Number of U.S. uranium facilities producing uranium concentrate;
- Owner, location, capacity, and operating status of existing and planned uranium concentrate processing facilities.

The data collected on Form EIA-858 *Uranium Marketing Annual Survey*, are used to publish annual information on:

- Sellers and the origin countries of any uranium and enrichment services purchased or imported into the United States by owners or operators of any U.S. civilian nuclear power reactors;
- Uranium marketing activities in the United States, including quantities, prices and origins of uranium transactions and enrichment services, contract and material types, domestic and foreign purchases and sales, origin and destinations of enrichment feed deliveries, the quantity of uranium loaded into U.S. civilian nuclear power reactors, and uranium inventories;
- Data on U.S. uranium market requirements, including future contracted deliveries (filled requirements), unfilled market requirements, and projected enrichment feed deliveries;
- U.S. questionnaire input to the *Uranium Resources, Production and Demand* “Red Book” (OECD/Nuclear Energy Agency and International Atomic Energy Agency);
- U.S. questionnaire input to the *Nuclear Energy Data* “Brown Book” (OECD/Nuclear Energy Agency);
- U.S. input for the *U.S. Country Nuclear Power Profile* (International Atomic Energy Agency).

Data from UDP surveys appear in numerous EIA reports, including the following:

- Domestic Uranium Production Report – Annual
  - o <http://www.eia.gov/uranium/production/annual/>
- Domestic Uranium Production Report – Quarterly
  - o <http://www.eia.gov/uranium/production/quarterly/>
- Uranium Marketing Annual Report
  - o <http://www.eia.gov/uranium/marketing/>

### A.3. Use of Technology

Surveys in the *Uranium Data Program* use Internet-based data collection systems as the primary means of data collection. The majority of routine contact with respondents (e.g., notification that a survey has opened for a collection cycle) is done by email.

Internet data collection will continue to be the primary collection mode for UDP surveys. The Internet-based system allows respondents to enter their data directly into the EIA databases, which reduces the time needed for data collection and processing. The systems automatically identify data that fail edit specifications prior to submission, allowing respondents to make necessary corrections or explain unusual situations impacting the reported data. This data editing process reduces respondent burden by reducing the number of times a respondent must resubmit forms prior to acceptance by EIA. It also improves the timeliness of reporting the information to the public. The only equipment and software required of the respondents are a connection to the Internet and a standard industry web browser.

#### A.4. Efforts to Identify Duplication

EIA is the only principal statistical agency that regularly collects, maintains, and publishes data regarding uranium mining, milling, and processing, uranium feed sources, employment, drilling, expenditures, contracts, deliveries, enrichment services purchased, inventories, use in fuel assemblies, feed deliveries to enrichers, and unfilled market requirements in the federal government. The data collected on the UDP surveys are unique and are regularly requested by staff at the agencies listed below. Although limited amounts of data may be available from other federal agencies, industry, and private sources, those data collections are not reasonable alternatives for the data sets obtained through the UDP surveys.

Non-statistical agencies that collect and/or maintain uranium data in the U.S. Federal Government include:

- U.S. Department of Commerce, Bureau of Industry and Security (BIS), U.S. Additional Protocol (AP)
- U.S. Department of Commerce, International Trade Administration (ITA)
- U.S. Department of Energy, Office of Environmental Management (EM)
- U.S. Department of Energy, Office of Legacy Management (LM)
- U.S. Department of Energy, Office of Nuclear Energy (NE)
- U.S. Department of Energy, National Nuclear Security Administration (NNSA), Nuclear Materials Management & Safeguard System (NMMSS)
- U.S. Department of the Interior, Bureau of Land Management (BLM)
- U.S. Environmental Protection Agency (EPA)
- U.S. Nuclear Regulatory Commission (NRC)
- U.S. Geological Survey (USGS)
- U.S. International Trade Commission (US ITC)

EIA evaluated the above sources of publicly available uranium data and found no other source as comprehensive, timely, or detailed as the data collected on Forms EIA-851A, EIA-851Q, and EIA-858. EIA also reviewed the following three major private-sector sources of nuclear information and data:

- TradeTech posts weekly U<sub>3</sub>O<sub>8</sub> (uranium concentrate) spot prices in a static chart for the previous year, all other data is available to paid subscribers only.

- UxC makes public spot prices available for  $U_3O_8$  (uranium concentrate),  $UF_6$  (converted uranium) and enrichment services for both North American and European Union markets. UXC updates  $U_3O_8$  prices weekly and updates prices for  $UF_6$  and enrichment services on a monthly basis. Only current prices are available and to those who have created an account with UXC. The prices posted by TradeTech and UXC are likely compiled using a small subset of all market deals and do not represent the entire universe of contracts that EIA collects and reports as only EIA has the authority to gather this data from every market participant.
- World Nuclear News (WNN) does not collect extensive data on uranium as it is a news provider only. EIA's uranium reports publish data on (1) uranium milling and processing, (2) uranium feed sources, (3) employment, (4) drilling, (5) expenditures (for drilling, production, and land/other), (6) uranium mining, (7) contracts, (8) deliveries (during the report year and projected for the next ten years), (9) enrichment services purchased, (10) inventories, (11) use in fuel assemblies, (12) feed deliveries to enrichers (during the report year and projected for the next ten years), and (13) unfilled market requirements for the next ten years. This comprehensive data cannot be found in other public data sources and is a direct result of EIA's mandatory data collection authority.

## A.5. Provisions for Reducing Burden on Small Businesses

To the extent possible, EIA designs its data surveys so that small operations are not unduly affected. This is especially important to UDP as small businesses constitute a sizeable portion of the U.S. uranium industry. Small firms participate in a limited or full range of industry activities from land acquisition through exploration, drilling, mining, milling, processing, conversion, and U.S. market broker/traders. To minimize burden, UDP survey forms only request data for items that are normally recorded in the ordinary course of their business operations. Because of this, EIA anticipates that little time will be required of small companies to prepare their responses. The use of electronic data collection is also intended to reduce the response burden on small businesses.

## A.6. Consequences of Less-Frequent Reporting

Industry relies on this quarterly data as an indicator of current market conditions throughout the year in between the more comprehensive annual reports published in May or June of each year.

## A.7. Compliance with 5 CFR 1320.5

The UDP surveys are operated in accordance with 5 CFR §1320.5.



## A.8. Summary of Consultations Outside of the Agency

On October 31, 2023, EIA published a 60-day Federal Register Notice at 88 FN 209, outlining proposed changes to the Uranium Data Program and inviting interested parties to comment. EIA responded to all comments it received. EIA received one comment expressing interest in adding a chart using uranium inventory data to the Uranium Marketing Annual Report. The request would not change the survey forms but be a different way of displaying existing data that is already collected on the Form EIA-858 and thus not a change to the survey form or clearance even if implemented.

## A.9. Payments or Gifts to Respondents

There will not be any payments made or gifts given to respondents as an incentive to complete the Uranium Data Program surveys.

## A.10. Provisions for Protection of Information

For Forms EIA-851A and EIA-851Q, the confidentiality pledge under the FOIA exemptions is:

*The 'Respondent Identification' (Company Name), 'Item 1: Facility Information', and 'Item 4: Mine Production' reported on Form EIA-851A and 'Item 2: Production' on Form EIA-851Q are considered public information and may be released in company identifiable form. All other information reported on this form 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, the Department of Energy (DOE) regulations, 10 C.F.R. 1004.11, implementing the FOIA, 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 component of the Department of Energy (DOE); 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 nonstatistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.*

For Form EIA-858, the CIPSEA confidentiality pledge is as follows:

The items RESPONDENT IDENTIFICATION Company Name and OTHER PARTY NAME (Item 1.A.), and SELLER'S NAME (Item 3.B.) on Form EIA-858 will be considered public information and may be publicly released in company or individually identifiable form.

*The information you provide on Form EIA-858 will be used for statistical purposes only and is confidential by law. In accordance with the Confidential Information Protection and Statistical Efficiency Act of 2018 and other applicable Federal laws, your responses will not be disclosed in identifiable form without your consent. Per the Federal Cybersecurity Enhancement Act of 2015, Federal information systems are protected from malicious activities through cybersecurity screening of transmitted data. Every EIA employee, as well as every agent, is subject to a jail term, a fine, or both if he or she makes public ANY identifiable information you reported.*

### A.11. Justification for Sensitive Questions

There are no questions of a sensitive nature.

### A.12. Estimate of Respondent Burden Hours and Cost

The total annual burden is estimated to be **1,775 hours** (see Table A1, below). Based on the estimated rate of \$91.16 per hour for employees who would complete these forms, the total annual respondent cost for all forms is estimated to be \$161,809.

The equation for calculating the burden cost is:

(hourly rate) x (hours per year) = (annual respondent burden); or

\$91.16/hour x 1,775 hours/year = \$161,809.

An average cost per hour of \$91.16 is used because that is the average fully burdened wage hour (salary plus benefits) cost for an EIA employee assigned to data survey work. EIA assumes that the survey respondent workforce completing surveys for EIA is comparable with EIA workforce.

<b>EIA Form Number/Title</b>	<b>Annual Reporting Frequency</b>	<b>Number of Respondents</b>	<b>Annual Number of Responses</b>	<b>Burden Hours Per Response</b>	<b>Annual Burden Hours</b>
Form EIA-851A - Domestic Uranium Production Report (Annual)	1	26	26	5	130
Form EIA-851Q - Domestic Uranium Production Report (Quarterly)	4	11	44	0.75	33
Form EIA-858 - Uranium Marketing Annual Survey	1	62	62	26	1,612
<b>TOTAL</b>		<b>99</b>	<b>132</b>		<b>1,775</b>

### A.13. Annual Cost to the Federal Government

The ongoing annual costs of the UDP data collection to the federal government, including survey frame maintenance, data collection, data processing, report publication and systems maintenance totals \$113,028.40 .

Table A2. Annual Cost to the Federal Government			
Activity	Labor Hours	x Rate	= Cost
Survey frame and maintenance	160	\$91.16	\$14,585.60
Data collection and processing	800	\$91.16	\$72,928.00
Data Dissemination	240	\$91.16	\$21,878.40
Data systems maintenance and enhancements	40	\$91.16	\$3,636.40
<b>Total Annual Cost</b>	-	-	\$113,028.40

### A.14. Changes in Burden

There is a 6 hour increase in the total estimated burden across all three surveys. Due to the continued downturn in the uranium landholding/exploration/production sectors, EIA-851A had four fewer respondents which reduced the burden hours to 20. The addition of one trader/broker on the EIA-858 survey will result in 26 additional burden hours. The larger burden estimate of the EIA-858 survey (26 hours) compared to the EIA-851A survey (5 hours) results in 26 additional EIA-858 hours against a reduction of 20 hours on the EIA-851A survey (4 fewer respondents X 5 hours per response) for a total net burden gain of six hours across all three surveys.

In summary, the number of respondents for the Form EIA-851A has decreased from 30 to 26. The number of respondents for the Form EIA-851Q has remained at 11. The number of respondents for the Form EIA-858 has increased from 61 to 62. Total annual burden hours across all uranium surveys will increase slightly from 1,769 hours to 1,775 hours.

EIA Form Number/Title	Annual Reporting Frequency	Number of Respondents (Previously Approved)	Number of Respondents (Requested)	Annual Number of Responses (Previously Approved)	Annual Number of Responses (Requested)	Burden Hours Per Response (Previously Approved)	Burden Hours Per Response (Requested)	Annual Burden Hours (Previously Approved)	Annual Burden Hours (Requested)	Annual Number of Responses			Annual Burden Hours		
										Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Adjustment	Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	
Form EIA-851A - Domestic Uranium Production Report (Annual)	1	30	26	30	26	5	5	150	130	-	(4)	-	-	(20)	(20)
Form EIA-851Q - Domestic Uranium Production Report (Quarterly)	4	11	11	44	44	1	1	33	33	-	-	-	-	-	-
Form EIA-858 - Uranium Marketing Annual Survey	1	61	62	61	62	26	26	1,586	1,612	-	1	-	-	26	26
<b>TOTAL</b>		<b>102</b>	<b>99</b>	<b>135</b>	<b>132</b>			<b>1,769</b>	<b>1,775</b>	<b>-</b>	<b>(3)</b>	<b>-</b>	<b>-</b>	<b>6</b>	<b>6</b>

### A.15. Reasons for Changes in Burden

The frame for Form EIA-851A declined by four respondents due to a continued decline in the domestic uranium industry. In the three years since the last clearance, four respondents have exited the uranium landholding and exploration business. The frame for Form EIA-851Q did not change at 11 respondents. The EIA-851Q only asks for quarterly uranium production. The Form EIA-858 frame increased by one respondent as a new uranium trader/broker entered the industry.

**Table A3. ICR Summary of Burden**

	Requested	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Previously Approved
Total Number of Responses	132	0	-3	135
Total Time Burden (Hr)	1,775	0	6	1,769

### A.16. Collection, Tabulation, and Publication Plans

The data collected on the UDP forms will be aggregated in EIA reports and made available on the EIA website. Paper submissions, if any, have the same due dates as online submissions.

**Table A5. UDP collection and publishing schedule**

Form	Start Date	Due Date	Period	Publications	On EIA website
EIA-851A	January 2	March 1	Annual	<i>Domestic Uranium Production Report – Annual</i> <a href="http://www.eia.gov/uranium/production/annual/">http://www.eia.gov/uranium/production/annual/</a>	May
EIA-851Q	January 2; April 1; July 1; October 1	January 15; April 15; July 15; October 15	Quarterly	<i>Domestic Uranium Production Report - Quarterly</i> <a href="http://www.eia.gov/uranium/production/quarterly/">http://www.eia.gov/uranium/production/quarterly/</a>	February; May; August; November
EIA-858	January 2	March 1	Annual	<i>Uranium Marketing Annual Report</i> <a href="http://www.eia.gov/uranium/marketing/">http://www.eia.gov/uranium/marketing/</a> <i>Domestic Uranium Production Report – Annual</i> <a href="http://www.eia.gov/uranium/production/annual/">http://www.eia.gov/uranium/production/annual/</a>	May

### A.17. OMB Number and Expiration Date

The OMB number 1905-0160 and expiration date will be displayed on the data collection forms and instructions.

### **A.18. Certification Statement**

There are no exceptions to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I. This information collection request complies with 5 CFR §1320.9.