

DRAFT SUPPORTING STATEMENT¹ FOR INFORMATION COLLECTIONS CONTAINED IN
THE RISK-INFORMED, TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR
ADVANCED REACTORS PROPOSED RULE

10 CFR PART 50
DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

3150-XXXX

NEW

DESCRIPTION OF INFORMATION COLLECTION

The U.S. Nuclear Regulatory Commission (NRC) is proposing to establish an optional technology-inclusive regulatory framework for use by applicants for new commercial nuclear plant designs. The regulatory requirements developed in this rulemaking would use methods of evaluation, including risk-informed and performance-based methods, that are flexible and practicable for application to a variety of new reactor technologies. The NRC's goals in amending these regulations are to continue to provide reasonable assurance of adequate protection of public health and safety and the common defense and security at sites at which new nuclear reactor designs are deployed to at least the same degree of protection as required for current-generation light-water reactors; protect health and minimize danger to life or property to at least the same degree of protection as required for current-generation light-water reactors; provide greater operational flexibilities where supported by enhanced margins of safety that may be provided in new nuclear designs; and promote regulatory stability, predictability, and clarity.

The proposed rule covers a wide range of topics, including the following that would result in recordkeeping and reporting requirements:

- Fitness for duty,
- Physical security,
- Cybersecurity,
- Access authorization.
- Plant design and analysis,
- Siting,
- Construction and manufacturing,
- Facility operations,
- Programs,
- Staffing,
- Decommissioning,
- Content of applications,
- Licensing basis information, and
- Quality assurance.

This supporting statement describes how the final rule will impact the information collections in 10 CFR Part 50 (3150-0011). Section 53.865 of the proposed rule would require that OL and COL holders develop, implement, and maintain a quality assurance program in accordance with Appendix B to 10 CFR Part 50. Additionally, the proposed rule would amend Appendix B to 10 CFR Part 50 to make the requirements in this section applicable to applicants and licensees under Part 53. Appendix B to 10 CFR Part 50 establishes quality assurance requirements for the design, fabrication, construction, and testing of structures, systems, and components.

This supporting statement includes burden associated with information collection changes to 10 CFR Part 50 (3150-0011). Due to the recent submission of the Part 50 renewal, the information collection changes to Part 50 associated with this final rule are being submitted as a new clearance. The NRC staff intends submit under the 3150-0011 clearance number at the final rule stage.

The supporting statements describing recordkeeping and reporting requirements in 10 CFR Part 53 (3150-XXXX), 10 CFR Part 73 (3150-0002), NRC Forms 893 and 894 (3150-XXXX), NRC Forms 366, 366A, and 366B (3150-0104), and NRC Form 361 (3150-0238) have been submitted under the respective clearances. Burden associated with 10 CFR Part 26 (3150-0146) has been submitted as a new clearance due to the submission of the Part 26 renewal.

Affected Entities

For the purposes of this supporting statement, the NRC staff estimates that there would be 2 Part 53 applicants during the three-year period covered by this clearance (2025–2027). Under the proposed rule, all Part 53 licensees would be required to comply with the quality assurance requirements in Appendix B to 10 CFR Part 50.

Information Collections

Appendix B to 10 CFR Part 50 requires that each commercial nuclear plant subject to the criteria in Appendix B to 10 CFR Part 50 implement the quality assurance program described or referenced in the Safety Analysis Report for the facility. Additionally, Appendix B to 10 CFR Part 50 requires that sufficient records be maintained to furnish evidence of activities affecting quality. Appropriate records of the design, fabrication, erection and testing of structures, systems and components important to safety shall be maintained by the licensee throughout the life of the plant, including:

- Management: QA plan, procedures, and instructions
- Qualification and training of personnel
- Design
- Procurement, items identification/control, acceptance status
- Special processes
- Manufacture, installation/testing
- Calibration
- Handling, storage and shipping
- Inspection, test, and operating status
- Non-conformance, corrective action
- Audits
- Modification, maintenance, and repair
- Operation

Burden to submit the Safety Analysis Report is included in the Part 53 clearance package (3150-XXXX) as part of the application burden. The current submission covers recordkeeping burden for maintaining QA records under Appendix B to Part 50.

A. JUSTIFICATION

1. Need for the Collection of Information

The information collection requirements contained in Appendix B to 10 CFR Part 50 are necessary for the NRC to evaluate the compliance of applicants and licensees with quality assurance requirements.

2. Agency Use and Practical Utility of Information

Applicants or licensees requesting approval to construct or operate commercial nuclear plants are required by the Atomic Energy Act of 1954, as amended (the Act), to provide information and data that the NRC may determine necessary to ensure the health and safety of the public.

The proposed rule would require licensees to maintain records related to quality assurance. The NRC would use this information to ensure applicants and licensees maintain quality assurance in the design, fabrication, erection and testing of structures, systems and components as commercial nuclear plants.

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 process, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (e.g. CD-ROM, DVD), by facsimile or by e-mail. It is estimated that approximately 90% of the responses would be filed electronically.

4. Effort 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

Not applicable.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted or Is Conducted Less Frequently

If the information is not collected, NRC would not be able to assess whether Part 53 applicants and licensees are operating within the specific safety requirements applicable to the licensing and operating activities for commercial nuclear plants.

The information and required frequency from licensees would be essential to NRC's determination of whether the applicant has adequate quality assurance programs throughout the life of the licensee to protect the public health and safety.

7. Circumstances which Justify Variations from OMB Guidelines

The requirements in Appendix B to 10 CFR Part 50 vary from OMB guidelines as they require the retention of records for more than 3 years. While there is no specific record retention requirement included in Appendix B to 10 CFR Part 50, Section 50.71(c) states that if a retention period for records required by the regulations in Part 50 is not otherwise specified, records must be retained until the Commission terminates the facility license or, in the case of an early site permit, until the permit expires. Quality assurance records related to the design, fabrication, erection and testing of structures, systems and components important to safety must be retained for the life of the plant in order to support the review and confirmation of safety-related activities, and to ensure the NRC's ability to protect the health and safety of the public.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package has been published in the *Federal Register*.

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).

Trade secrets, privileged, or confidential commercial or financial information is marked as proprietary information and is protected in accordance with NRC regulations in 10 CFR 9.17(a) and 10 CFR 2.390(b).

Certain information, designated as SGI, is prohibited from public disclosure in accordance with the provisions of the Atomic Energy Act of 1954, as amended, pursuant to Chapter 12, Section 147, or is designated as classified National Security Information, in accordance with Executive Order 12958, "Classified National Security Information," dated April 17, 1995.

11. Justification for Sensitive Questions

No sensitive information is requested.

12. Estimated Burden and Burden Hour Cost

The NRC staff estimates that annually there would be two applicants during the 3-year period covered by this clearance (2025-2027).

The estimated number of annual respondents is 2.

The overall estimated annual burden increase is 8,766.6 hours at an estimated annual cost increase of \$2,629,980 (8,766.6 hrs x \$300/hr).

Total Burden Summary			
Title	Responses	Hours	Cost
Annual Recordkeeping	2	8,766.6	\$2,629,980
TOTAL	2	8,766.6	\$2,629,980

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; Aug. 14, 2023).

13. Estimate of Other Additional Costs

The quantity of records to be maintained is roughly proportional to the recordkeeping burden and therefore can be used to calculate approximate records storage costs. Based on the number of pages maintained for a typical clearance, the records storage cost has been determined to be equal to .0004 times the recordkeeping burden cost. Therefore, the storage cost for this clearance is estimated to be \$1,052 (8,766.6 recordkeeping hours x \$300 x .0004).

14. Estimated Annualized Cost to the Federal Government

As the only information collection requirements contained in this supporting statement are recordkeeping requirements for applicants and licensees under Part 53, there would be no cost to the Federal government.

15. Reasons for Changes in Burden or Cost

The estimated incremental burden increase from the proposed rule would be 8,766.6 hours as a result of the recordkeeping requirements that Part 53 applicants and licensees would need to fulfill to comply with Part 50 during the period covered by this clearance (2025-2027).

16. Publication for Statistical Use

The information being collected is not expected to be published for statistical use.

17. Reason for Not Displaying the Expiration Date

The recordkeeping requirements for this information collection are associated with regulations and are not submitted on instruments such as forms or surveys. For this

reason, there are no data instruments on which to display an OMB expiration date. Further, amending the regulatory text of the CFR to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable