



Supporting Statement for Survey Clearance

November 2024

Part A: Justifications

OMB No. 1901-0260

Form NWPA-830G, Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste - Appendix G and Annex A to Appendix G

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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 requests a three-year extension, with changes, from the Office of Management and Budget (OMB) for Form NWP-830G, *Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste - Appendix G and Annex A to Appendix G*. The only change is the total number of responding reactors which was reduced from 95 to 94. The Nuclear Waste Policy Act of 1982 (42 U.S.C. §10101 et seq.) required that the U.S. Department of Energy enter into Standard Contracts with all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin. Form NWP-830G, including Annex A to Appendix G, is an appendix to the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-level Radioactive Waste. Appendix G and Annex A to Appendix G are commonly referred to as Remittance Advice (RA) forms. These forms must be submitted to DOE quarterly by generators and owners of spent nuclear fuel who signed the Standard Contract concerning payments into the Nuclear Waste Fund of ongoing fees for spent nuclear fuel disposal.

The information collection proposed in this supporting statement has been reviewed in light of applicable information quality guidelines. It has been determined that the information will be collected, maintained, and used in a manner consistent with OMB and DOE information quality guidelines.

Form NWP-830G, is a mandatory form that serves as the source document for entries into DOE accounting records to transmit data from purchasers to DOE concerning payment of the Spent Nuclear Fuel Disposal Fee into the Nuclear Waste Fund. Appendix G collects payment data based on a utility's net electricity generated and sold. Data collected include the net electricity generated and sold (in megawatt hours), the fee rate, and the total fee. The form also includes supplementary data including adjustments from previously submitted quarterly data, interest, and credits.

In November 2013, a federal appeals court ordered that the fee be changed to zero until certain conditions are met. Effective May 16, 2014, the fee became 0.0 Mill¹ per kilowatt-hour, reducing to zero the quarterly fees paid by domestic generators of nuclear electricity and owners of spent nuclear fuel. Electricity generated and sold prior to May 16, 2014, remained subject to the former fee of 1.0 Mill per kilowatt-hour. In a letter dated May 12, 2014, DOE, through its Office of Standard Contract Management, Office of the General Counsel (GC), informed signatories to the Standard Contract that they must continue to submit quarterly net electricity generation data on Appendix G

Annex A to Appendix G provides the data necessary to calculate the amount of net electricity generated and sold upon which the Spent Nuclear Fuel Disposal Fees are based (whether using the former fee rate of 1.0 Mill per kilowatt-hour or the current fee rate of 0.0 Mill per kilowatt-hour). Purchasers report gross electricity generated and energy losses resulting in "net electricity generated." Energy losses include nuclear station use and offsets for pumped storage. To report "net electricity generated and

¹ Mill: A monetary cost and billing unit used by utilities; it is equal to 1/1000th of the U.S. dollar (equivalent to 1/10 of 1 cent).

sold,” purchasers estimate factors to calculate the “sold” portion. These factors are based on a utility’s sales to ultimate consumers and sales for resale, a utility-level element for retail energy losses, and a national-level factor for resale energy losses. Adjustment factor data are calculated for each individual owner of a nuclear plant and weighted by that owner’s share of the plant.

Form NWP-830G *Appendix G - Standard Remittance Advice for Payment of Fees*, was previously referred to as Form NWP-830R. Form NWP-830R covered all appendices to the Standard Contract. The data on Appendix A were collected once in 1983 when the contracts were signed. Appendix B, collected data on a one-time fee based on spent nuclear fuel discharged or in the reactor core as of April 6, 1983, is no longer used; those data are now collected by Form GC-859 *Nuclear Fuel Data*. The data on Appendices C, D, and F are all dependent on the availability of a federal facility to accept spent nuclear fuel, and are therefore not part of this survey clearance. Appendix E contained a series of definitions and specifications and collected no data from respondents.

A.1. Legal Justification

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

1. Title 15 U.S.C. §772(b), which establishes the mandatory reporting requirement of owners and operators of businesses in the U.S. to make available energy supply and consumption data to the EIA Administrator.
2. Title 15 U.S.C. §764(a,b), which establishes 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.
3. Title 15 U.S.C. §790(a), which establishes a National Energy Information System 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. This enclave allows EIA to perform statistical and forecasting activities to meet the needs of the Department of Energy, Congress, and the States.
4. Title 42 U.S.C. §10222, which authorizes the Secretary of Energy to enter into contracts with any person who generates or holds title to high-level radioactive waste, or spent nuclear fuel, of domestic origin for the acceptance of title, subsequent transportation, and disposal of such waste or spent fuel.

A Standard Contract for Disposal of Spent Nuclear Fuel and/or High-level Radioactive Waste can be viewed at:

http://energy.gov/sites/prod/files/gcprod/documents/New_Standard_Contract.pdf

A.2. Needs and Uses of Data

Form NWPA-830G, including Annex A to Appendix G, is a quarterly form submitted by all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin (purchasers). These purchasers signed the Standard Contract with the DOE requiring them to pay fees into the Nuclear Waste Fund. Form NWPA-830G is Appendix G to the Standard Contract.

Appendix G collects information on net electric power generation and serves as the basis for DOE to determine the payment of fees into the Nuclear Waste Fund. The data are used by DOE's Office of the Chief Financial Officer, Energy Finance and Accounting Service Center to verify the amounts of these payments. Appendix G data provides an audit trail of all payments made by purchasers into the Nuclear Waste Fund.

Annex A to Appendix G collects data on the amount of net electricity generated and sold upon which the fees are based. The Office of Standard Contract Management, and the Office of Nuclear Energy use data from the Annex A to Appendix G form. The Office of Standard Contract Management use fee payment data in a number of internal reports, including Fee Adequacy reports and Total System Life Cycle Cost reports. The information reported on Appendix G and Annex A to Appendix G may also be made available, upon request, to another DOE component, 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 non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

A.3. Use of Technology

DOE uses information technology to improve reporting options. Beginning in 1999, DOE distributed an automated software package, the Remittance Advice Reporting System (RAPS), to the NWPA-830G respondents to reduce reporting burden. This computer-based system required respondents to enter only those data that changed from quarter to quarter, and provided computer-generated Remittance Advice forms in lieu of the four-part Appendix G and Annex A to Appendix G forms, which had previously been supplied as paper forms.

In mid-2013, DOE replaced RAPS with an online fillable PDF version of the Remittance Advice forms. It is recommended that the current PDF forms are utilized as they have been updated with the latest information and have been granted OMB approval. While respondents may continue to use the RAPS software, they are responsible for ensuring that all data and calculations are correct. Completed Remittance Advice forms must be printed out, signed, and returned to DOE in accordance with the provisions of the Standard Contract.

A.4. Efforts to Identify Duplication

As part of a continuing effort to avoid duplication, DOE routinely reviews and evaluates information from a variety of sources, including other federal agencies, industry trade associations, state governments, and commercial information services to identify instances of duplication.

Monthly and annual net electricity data are collected on EIA surveys, including Form EIA-860 *Annual Electric Generator Report*, Form EIA-860M *Monthly Update to the Annual Electricity Generator Report*, and Form EIA-923 *Power Plant Operations Report* (with both monthly and annual collections). However, Form NWPA-830G *Appendix G - Standard Remittance Advice for Payment of Fees*, including Annex A to Appendix G, is the only source of quarterly net electricity generation data by commercial nuclear reactors. Additionally, other surveys collect information on energy losses, station electricity use, pumped storage losses, and energy furnished without charge, differently than what is reported on Form NWPA-830G. This quarterly data is a complete audit trail of fee payment data. Because fee data are primarily used by DOE's Energy Finance and Accounting Service Center and the Office of Standard Contract Management, it is imperative that all data are available on a single form. U.S. nuclear electricity generation capacity and spent fuel storage data are available from the Nuclear Regulatory Commission (NRC); however, NRC data does not include information to determine the amount of net electricity generated and sold, which is the basis for fees paid into the Nuclear Waste Fund.

A.5. Provisions for Reducing Burden on Small Businesses

This collection of information does not involve small businesses or other small entities. All respondents are major commercial utilities or operating companies.

A.6. Consequences of Less-Frequent Reporting

Form NWPA-830G, including Annex A to Appendix G, are required to be submitted quarterly per the Standard Contract. Prior to the fee change, this helped ensure the accuracy of the mandated fees and minimized interest payments when errors were made. DOE requires continued quarterly collection to verify net electricity generation data and estimates of the spent nuclear fuel disposal fees that would otherwise accrue from this generation.

A.7. Compliance with 5 CFR 1320.5

There are no special circumstances for the NWPA-830G data collection.

A.8. Summary of Consultations Outside of the Agency

On July 19, 2024, DOE published a 60-day Federal Register notice, 89 FR 58731, giving the public an opportunity to comment on the proposed three-year extension to Form NWPA-830G, including Annex A to Appendix G. DOE received no comments to the Federal Register notice. This opportunity for comment

is part of the fourth OMB clearance following a letter sent on May 12, 2014 by the Office of Standard Contract Management, Office of General Counsel to all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin requesting that they continue to submit Appendix G – Standard Remittance Advice for Payment of Fees in accordance with their existing quarterly payment schedule utilizing the fee rate of 0.0 mill per kilowatt hour of electricity generated and sold (see Introduction). The opportunity was also given within the letter, along with appropriate contact information, to submit questions on the matter.

A.9. Payments or Gifts to Respondents

There are no provisions for payments to respondents.

A.10. Provisions for Protection of Information

The information is collected under the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste. In accordance with the terms of the Standard Contract, companies are allowed to mark any data reported under the contract as “proprietary data” (See 10 C.F.R. 961.11, Article XXI – Rights in Technical Data). Although a large part of the information furnished is publicly available, this information is not typically published by DOE. If a request for the information is received, to the extent that information is not in the public domain or has been marked as “proprietary data,” the procedures listed below will be followed.

The information reported on Form NWSA-830G 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, DOE regulations implementing the FOIA, 10 C.F.R. §1004.11, and the Trade Secrets Act, 18 U.S.C. §1905.

The information reported on this form may also be made available, upon request, to another DOE component, 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 non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

Data associated with this survey is submitted directly to DOE and records are maintained by DOE’s Office of Standard Contract Management. The data are used for administrative, regulatory, and adjudicatory purposes only. Disclosure limitation procedures are not applied to the statistical data derived from this survey’s information. The agreement requires that the information is protected and not disclosed to the public as set forth above.

A.11. Justification for Sensitive Questions

There are no questions of a sensitive nature in these data collections.

A.12. Estimate of Respondent Burden Hours and Cost

The estimate of respondent burden for Form NWPA-830G Appendix G - Standard Remittance Advice for *Payment of Fees*, including Annex A to Appendix G, is listed in Table A1. The overall annual respondent burden is estimated to be 1,880 hours. The costs to respondents for the burden hours are estimated to be \$171,381 (1,880 estimated number of burden hours times \$91.16 per hour current average loaded wage rate). An average cost per hour of \$91.16 is used because that is the average loaded (salary plus benefits) cost for an EIA employee assigned to data survey work at the time of this writing. EIA assumes that the survey respondent workforce completing surveys for DOE is comparable with the EIA workforce.

Table A1. Estimated Respo

EIA Form Number/Title	Annual Reporting Frequency	Number Respondents

The estimated burden of five hours per response estimate represents both the Appendix G - Standard Remittance Advice for Payment of Fees and the Annex A to Appendix G.

A.13. Annual Cost to the Federal Government

The estimated annual cost to the Federal Government for Form NWPA-830G, including Annex A to Appendix G, is \$59,327. The cost figures include (1) Development and Maintenance Costs, (2) Collection Costs, (3) Processing Costs, (4) Publication Costs, and (5) Other Costs.

The estimated annual cost to the Federal Government includes 30% of the funds for one Full Time Equivalent (FTE) at the rate of \$197,756.²

Total Estimated Annual Federal Employee Cost = 30% x \$197,756= \$59,327

Federal Employee Costs (Estimated Annual)

Activity	Labor hours	Cost (\$)	% of time
Program management and overall support	624	\$59,327	100%
Total annual cost	624	\$59,327	100%

² This includes salaries and benefits.

A.14. Changes in Burden

The estimated change in annual burden is a reduction of 20 hours as shown in Table A2 below.

Table A2: Burden Change Data			

A.15. Reasons for Changes in Burden

The reduction of 20 annual burden hours for Form NWPA-830G results from the net reduction of the number of total responding reactors from 95 to 94.

One reactor Palisade permanently shut down since the last clearance cycle and no longer is required to pay fees into the Nuclear Waste Fund nor respond to this survey.

Plant Name	Retirement Month	Retirement Year
Palisade	5	2022

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	376	0	-4	380
Total Time Burden (Hr)	1,880	0	-20	1,900

A.16. Collection, Tabulation, and Publication Plans

Form NWP-830G *Appendix G - Standard Remittance Advice for Payment of Fees*, including Annex A to Appendix G, is filed quarterly covering assigned three-month periods. The form is due no later than the last business day of the month following an assigned three-month period. The data in these collections will not be published.

A.17. OMB Number and Expiration Date

The OMB Number (1901-0260) and expiration date will be displayed on all 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.