

**OTHER INFORMATION: OFFICE OF MANAGEMENT AND BUDGET'S 2000 FISCAL YEAR
 INFORMATION BUDGET CALL SURVEY FOR SELECT NUMBER OF AGREEMENT
 STATES (SP-00-004)**

In response to the Office of Management and Budget's (OMB) 2000 fiscal year information budget call, the Office of State Programs indicated that we planned to conduct a survey of a select number of Agreement States to re-examine the methods previously used to estimate Agreement State burden associated with responding to the Nuclear Regulatory Commission's (NRC) surveys, questionnaires and policy statements. We are writing to request your assistance and participation in this brief but important survey. In order to provide a representative cross-section, we are soliciting assistance from small, medium and large Agreement State programs since information from all three will need to be factored into the survey results. We also believe it is important to include our two newest Agreement States in order to get feedback and more realistically reflect the amount of effort expended in preparing a proposal for a new Agreement.

Enclosed for your review is a breakdown of burden estimates for two OMB information collection clearances; they are "Policy Statements, Criteria for States and NRC in Discontinuance of NRC Regulatory Authority & Assumption Thereof by States Through Agreement Programs & Integrated Materials Performance Evaluation Program Questionnaire," (OMB 3150-0183) and State Agreements Program, One-Time Only or As-Needed (OMB3150-0029). The electronic reporting of nuclear material events by Agreement States under NRC's automated Nuclear Material Events Database is collected under a separate OMB Clearance 3150-0178 and is not included as part of this survey. Please provide your comments and any revised burden estimates for each of the OMB clearances within 30 days of your receipt of this correspondence to Rosetta Virgilio.

We appreciate your participation in this survey. Your input will help ensure that we meet the required schedules to obtain full, uninterrupted OMB clearance for recurring information collections. If you have any questions regarding this correspondence, please contact me or the individual named below:

POINT OF CONTACT: Rosetta Virgilio INTERNET: ROV@NRC.GOV
 TELEPHONE: (301) 415-2307 FAX: (301) 415-3502

Original signed by:
 Frederick C. Combs, Deputy Director
 Office of State Programs

Enclosure:
 As stated

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AGREEMENT STATES
 (ARIZONA, CALIFORNIA, COLORADO, GEORGIA, MASSACHUSETTS, MAINE, OHIO,
 RHODE ISLAND, TEXAS)

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 10, 2000

AGREEMENT STATES
(ARIZONA, CALIFORNIA, COLORADO, GEORGIA, MASSACHUSETTS, MAINE, OHIO,
RHODE ISLAND, TEXAS)

**OTHER INFORMATION: OFFICE OF MANAGEMENT AND BUDGET'S 2000 FISCAL YEAR
INFORMATION BUDGET CALL SURVEY FOR SELECT NUMBER OF AGREEMENT
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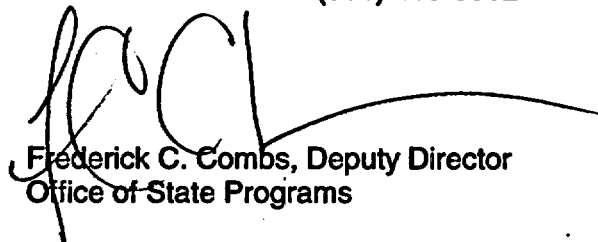
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AGREEMENT STATE PROGRAM INFORMATION COLLECTIONS

Background

Section 274 of the Atomic Energy Act of 1954 permits the Nuclear Regulatory Commission (NRC) to relinquish portions of its regulatory authority to States through a formal Agreement between the Governor of the State and the NRC. States wishing to become an Agreement State are requested to provide certain information to NRC and current Agreement States must maintain certain information and respond to periodic evaluations through a questionnaire to ensure that their programs are compatible with NRC's and protect public health and safety. These information collections and periodic Agreement State program reviews are covered under the following OMB Clearances: OMB 3150-0183, "Policy Statements, Criteria for States and NRC in Discontinuance of NRC Regulatory Authority & Assumption Thereof by States Through Agreement Programs & Integrated Materials Performance Evaluation Program Questionnaire;" OMB 3150-0178, "Agreement State Nuclear Material Events Database (NMED) Reporting;" and OMB 3150-0029, "One-Time Only or As-Needed Information Requests to Agreement States."

Past estimates of Agreement States burden associated with surveys, questionnaires and Policy Statements have been conservatively calculated. These burden calculations involved the NRC staff's best estimates using previous experience as a basis. These estimates are further refined by incorporating supplemental information gained from the States through selected telephone solicitation. Because Agreement State programs vary in size and staff, these differences are also taken into account and assumptions are made to compensate for these variances.

Estimating Information Collection Burden Under OMB Clearance 3150-0183

The focus on performance-based reviews since the inception of the Integrated Materials Performance Evaluation Program (IMPEP) eliminated a previous comprehensive questionnaire in which States were requested to respond to prior to their program review. A further reduction in Agreement State response burden has been realized since the average number of Agreement State program reviews conducted annually went from 17 to 8. The following is an example of the estimated hour and cost burden associated with OMB Clearance 3150-0183:

Questionnaire: Approximately eight of the existing 31 Agreement State programs are requested to respond to an IMPEP questionnaire annually. They expend an average of 45 hours per Agreement State program, or a total of 360 hours annually. This burden does not include the burden to Agreement State licensees, which is included in OMB clearances for each 10 CFR Part.

Policy Statement and Maintenance of Program: It is estimated that each of the 31 Agreement States expend a total of approximately 18,300 staff hours annually to maintain all activities associated with their programs (31 x 18,300 hours = 567,300). Of this, it is further estimated that approximately 40% of that time is expended on program maintenance, or a total of 226,920 hours is spent on paperwork burden. The maintenance of the program includes status of the inspection program, technical quality of inspections, training and staffing, technical quality of the licensing program, regulations, periodic meetings between IMPEP reviews and continuing

efforts to maintain compatibility with NRC's program. The paperwork burden associated with maintenance of the program includes such things as documentation of issuance of licenses, preparation of inspection reports and correspondence, preparation of regulations, documentation of training of Agreement State staff, preparation and documentation of procedures to implement the Agreement State program and general responses to the public.

Agreement State staff team members participate in an average of 10 IMPEP Team reviews per year (8 Agreement State reviews and 2 NRC Regional reviews) for a total of 1800 staff hours per year effort. It is estimated that 20% of this is spent on the paperwork burden, or a total of 360 hours per year (.20 x 1800 staff hours). It is estimated that a State seeking an Agreement expends approximately 3,600 hours annually over a three-year period preparing a proposal for a new Agreement. The table below indicates the estimated annual burden for the paperwork requirements associated with the policy statement for new Agreement State programs, participation in the IMPEP program, maintenance of existing Agreement State programs and the IMPEP questionnaire.

<u>Item</u>	<u>Number</u>	<u>Average Burden</u>	<u>Total Annual Burden</u>
New Agreements State Programs	1 every 3 years	10,800 hours (for a three year period)	3,600 hours
IMPEP Participation	10	36 hours	360 hours
Maintenance of existing Agreement State programs	31	7,320 hours	226,920 hours
Questionnaire	8	45 hours	360 hours
Total Agreement State Burden			231,240 hours

Estimating Information Collection Burden Under OMB Clearance 3150-0029

Responsibility for regulating the approximately 20,750 specifically licensed users of radioactive materials is shared between the NRC and the 31 Agreement States. Agreement States regulate a range of fewer than 100 licenses to more than 2,000 licenses. As part of the NRC cooperative post-agreement program with the States, information on licensing and inspection practices, and/or incidents, and other technical and statistical information is voluntarily exchanged.

NRC provides an opportunity for valuable Agreement State review and comment on proposed policy and program updates and revisions through the use of periodic one-time or as-needed collections of data from individual Agreement States. These one-time only or as-needed information collections from Agreement States address specific generic issues and events or procedures and guidance that are unique to the Agreement States. These information collections are not addressed by the use of existing data collections or through Agreement State participation on NRC working groups. The sharing of this information enables the NRC and the States to identify radiological health and safety issues and to plan and evaluate options

for the development of program responses to national problems. The data are also utilized in preparing responses to Congressional inquiries and requests for information from other sources. The following is an example of the estimated hour and cost burden associated with OMB Clearance 3150-0029:

Based upon past Agreement State response estimates, the 31 Agreement States expend a total of approximately 570 staff hours annually providing about 95 responses to approximately 20 information requests from NRC. It is estimated that an average of 6 hours is expended per response [20 requests x 4.75 responses x 6 hours per response = 570 staff hours. The States are not required to maintain records of their responses.

<u>Item</u>	<u>Number</u>	<u>Average Burden</u>	<u>Total Annual Burden</u>
One-Time Only, As-Needed Info Requests	20 requests per year	6 hours per request	570 staff hours