

U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

**MD 3.54**

**NRC INFORMATION COLLECTIONS  
PROGRAM**

**DT-17-118**

*Volume 3,* Information Management

*Part 2:* Records Management

*Approved By:* Victor M. McCree  
Executive Director for Operations

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*Issuing Office:* Office of the Chief Information Officer  
Customer Service Division

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**EXECUTIVE SUMMARY**

Directive and Handbook 3.54, "NRC Information Collections Program," is revised to—

- Reflect the April 2013 reorganization of the Office of Information Services and the subsequent retitling of the office to the Office of the Chief Information Officer in November 2015.
- Reflect the elimination of the role of Information Management Coordinators in most offices.
- Incorporate changes in process by the Office of Management and Budget (OMB) for generic clearances, public consultations on information collections, and rulemakings with minor changes to information collection requirements.
- Include OMB guidance on social media, Web-based technologies, and the Paperwork Reduction Act (OMB memorandum, "Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act," issued April 7, 2010).

Management Directive (MD) 3.54 was reorganized to be a user-friendly resource for offices responsible for information collections. All the information for a single process (e.g., proposed rules) is contained in a single section. Reference materials are available on the OCIO information collections Web site at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/index.html>, rather than as exhibits to this MD.

In addition, MD 3.54 is retitled from "NRC Collection of Information and Reports Management" to "NRC Information Collections Program" to clarify the intent and the objective of the program.

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### I. POLICY

It is the policy of the U.S. Nuclear Regulatory Commission (NRC) to define the objectives, responsibilities, and procedures for managing the NRC's information collection activities as prescribed under the Paperwork Reduction Act (PRA) of 1995 and the Office of Management and Budget's (OMB's) implementing regulations in accordance with Title 5 of the *Code of Federal Regulations*, Part 1320, "Controlling of Paperwork Burdens on the Public."

### II. OBJECTIVES

- Ensure that NRC-conducted or -sponsored information collections are consistent with the needs of the Federal regulatory programs and are undertaken in a manner that will place a minimum burden on respondents, particularly small businesses and small entities that are required to maintain or furnish information to NRC.

- Ensure that the most efficient, effective, and economical sources or means for obtaining or applying information resources have been considered.
- Ensure that the NRC information collections are reviewed at key intervals from development to implementation so that appropriate decisions can be made about continuing, modifying, or terminating the information collections.
- Ensure that the information has practical utility, that is, it is necessary for the proper performance of the agency's mission.

### **III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY**

#### **A. Commission**

1. Approves new or revised collections of information that are contained in NRC proposed and final rules when approval authority has not been delegated to the Executive Director for Operations (EDO).
2. Decides whether to override OMB's decisions to disapprove, require material or substantive changes to, or stay the effectiveness of NRC information collections.

#### **B. Executive Director for Operations (EDO)**

1. Approves new or revised collections of information that are contained in NRC proposed and final rules when approval authority has been delegated to the EDO.
2. Upon consideration of recommendations by Office Directors, and/or Regional Administrators, recommends to the Commission action that should be taken on OMB's decisions to disapprove, require material or substantive changes to, or stay the effectiveness of NRC information collections.

#### **C. Chief Information Officer (CIO)**

1. Oversees the agency's information collection activities as defined by the PRA and OMB's implementing regulations and guidelines.
2. Delegates responsibility to the NRC Clearance Officer for management of the Information Collections Program.
3. Ensures that the agency Information Collection Budget (ICB) is developed and submitted to OMB, as required by the annual OMB circular.
4. Reviews and concurs on recommendations from Office Directors and/or Regional Administrators to the EDO regarding actions that should be taken on OMB's decisions to disapprove, require material or substantive changes to, or stay the effectiveness of NRC information collections.

**D. General Counsel**

1. Provides guidance to staff on the legal interpretation of paperwork management laws and OMB's implementing regulations and guidelines.
2. Reviews information collection submittal packages and communications addressed to OMB upon request or when a package or communication pertains to controversial information collections or involves interpretation or enforcement of the laws and regulations governing information collection activities.

**E. Office Directors and Regional Administrators**

1. Approve proposed information collections that are sponsored by their functional areas.
2. Establish internal controls to ensure that information collections comply with agency policies and procedures.
3. Make recommendations to the EDO for action that should be taken on OMB's decisions to disapprove, require material or substantive changes to, or stay the effectiveness of NRC information collections.

**F. Director, Customer Services Division (CSD), Office of the Chief Information Officer (OCIO)**

1. Provides guidance and assistance to staff in accomplishing the objectives of this directive.
2. Ensures staffing levels are sufficient to accomplish the requirements of the PRA and OMB's implementing regulations.

**G. Director, Division of Administrative Services (DAS), Office of Administration**

1. Provides OCIO with a copy of each proposed document that the Division of Administrative Services receives for review that may be used to conduct information collections (e.g., proposed and final rules, policy statements).
2. Coordinates with OCIO all rulemakings, policy statements, and any other documents that may be used by staff to conduct information collections to ensure that documents are in compliance with governing laws, regulations, and agency policies and procedures.

**H. Director, Information Security Directorate, OCIO**

Provides cybersecurity requirements for electronic information processing, storage, and transmission.

**I. NRC Clearance Officer, FOIA, Privacy, and Information Collections Branch (FPIB), CSD, OCIO**

1. Establishes, and ensures implementation of, agency policies and procedures for information collection activities.
2. Serves as the liaison between the OMB Desk Officer and responsible office staff regarding information collection submissions.
3. Approves or disapproves proposed information collections for submittal to OMB.
4. Submits agency information collection requests to OMB, and certifies agency compliance with PRA requirements.
5. Coordinates the agency's annual ICB, including the reporting of any burden reduction initiatives and any agency violations of the PRA, and submits the ICB to OMB.

**IV. APPLICABILITY**

All NRC employees must comply with the policy and guidance in this MD.

**V. DIRECTIVE HANDBOOK**

Handbook 3.54 provides detailed procedures and guidelines for implementing the policies on information collections conducted or sponsored by NRC.

**VI. REFERENCES*****Code of Federal Regulations***

5 CFR Part 1320, "Controlling Paperwork Burdens on the Public."

10 CFR Part 73, "Physical Protection of Plants and Materials."

***Nuclear Regulatory Commission Documents***

NRC Management Directive 12.5, "NRC Cyber Security Program."

NRC Web Sites—

FRN Templates Library on SharePoint:

<http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>.

Sample templates for—

30-day FRN soliciting comments on a new or modified information collection or a renewal of an existing information collection.

60-day FRN soliciting comments on a new or modified information collection or a renewal of an existing information collection.

NRC Forms Library on SharePoint:

<http://fusion.nrc.gov/nrcformsportal/default.aspx>.

OCIO Web Site for Information Collections Guidance:

<http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/>.

Sample templates for—

Supporting Statement for Paperwork Reduction Act Submission.

Paperwork Reduction Act Statement (Proposed Rule).

Paperwork Reduction Act Statement (Final Rule).

### **Office of Management and Budget**

Memorandum for Heads of Executive Departments and Agencies, "Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act," April 7, 2010.

### **Other Web Sites—**

Office of Management and Budget and U.S. General Services Administration Information Collection Review Web Site:

<http://www.reginfo.gov/public/do/PRAMain>.

Regulations.gov:

<http://www.regulations.gov>.

U.S. Government Printing Office, "List of CFR Sections Affected":

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=LSA>.

### **United States Code**

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

U.S. NUCLEAR REGULATORY COMMISSION DIRECTIVE HANDBOOK (DH)

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|---|---|---|
| <b>DH 3.54</b>  | <b>NRC INFORMATION COLLECTIONS PROGRAM</b>  | <b>DT-17-118</b>  |
| <i>Volume 3,</i>  | Information Management  |   |
| <i>Part 2:</i>  | Records Management  |   |
| <i>Approved By:</i>   | Victor M. McCree<br>Executive Director for Operations   |   |
| <i>Date Approved:</i>   | March 29, 2016  |   |
| <i>Cert. Date:</i>  | N/A, for the latest version of any NRC directive or handbook, see the <a href="#">online MD Catalog</a> . |   |
| <i>Issuing Office:</i>  | Office of the Chief Information Officer<br>Customer Service Division                                      |   |
| <i>Contact Name:</i>  | Kristen Benney<br>301-415-6355  | Information Collections Staff<br>(names and phone numbers are listed <a href="#">here</a> ) |
| <b>EXECUTIVE SUMMARY</b>  |   |   |
| <p>Directive and Handbook 3.54, "NRC Information Collections Program," is revised to—</p> <ul style="list-style-type: none"> <li>• Reflect the April 2013 reorganization of the Office of Information Services and the subsequent retitling of the office to the Office of the Chief Information Officer in November 2015.</li> <li>• Reflect the elimination of the role of Information Management Coordinators in most offices.</li> <li>• Incorporate changes in process by the Office of Management and Budget (OMB) for generic clearances, public consultations on information collections, and rulemakings with minor changes to information collection requirements.</li> <li>• Include OMB guidance on social media, Web-based technologies, and the Paperwork Reduction Act (OMB memorandum, "Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act," issued April 7, 2010).</li> </ul> <p>Management Directive (MD) 3.54 was reorganized to be a user-friendly resource for offices responsible for information collections. All the information for a single process (e.g., proposed rules) is contained in a single section. Reference materials are available on the OCIO information collections Web site at <a href="http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/index.html">http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/index.html</a>, rather than as exhibits to this MD.</p> <p>In addition, MD 3.54 is retitled from "NRC Collection of Information and Reports Management" to "NRC Information Collections Program" to clarify the intent and the objective of the program.</p> |   |   |

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**I. GENERAL**

Directive and Handbook 3.54 communicate the responsibilities and procedures required to comply with the Paperwork Reduction Act (PRA) of 1995 and the Office of Management and Budget's (OMB's) implementing regulations in accordance with Title 5 of the *Code of Federal Regulations*, Part 1320, "Controlling Paperwork Burdens on the Public."

**A. Requirements of the Paperwork Reduction Act and Implementing Regulations**

1. The PRA and the OMB's implementing regulations at 5 CFR Part 1320 require that all information collections, whether voluntary or mandatory, imposed on 10 or more non-Federal entities be reviewed and approved by OMB. The PRA and OMB's implementing regulations were put in place to ensure that all information collections are necessary to—
  - (a) Promote openness,
  - (b) Increase program efficiency and effectiveness, and
  - (c) Reduce burdens on the public.
2. OMB defines an information collection as an agency request or requirement imposed on 10 or more persons (e.g., licensees, Agreement States, members of the public) to obtain, keep, report, maintain, retain, or disclose information to an agency, third parties, or the public, regardless of whether the response is mandatory, voluntary, or required to obtain a benefit. OMB also has special rules for collections contained in rules of general applicability and collections directed at all or a substantial majority of an industry or industry sector (see Section I.C.1 of this handbook).
3. Information collections are broken into three main categories:
  - (a) Reporting requirements, which include the following:
    - (i) Forms,
    - (ii) Surveys,
    - (iii) Focus groups,

- (iv) Applications,
  - (v) Reports,
  - (vi) Letters, and
  - (vii) Telephonic requests for information.
- (b) Recordkeeping requirements, which include the following:
- (i) Maintaining records,
  - (ii) Developing plans or procedures, which are kept as records (often available for inspection),
  - (iii) Developing procedures and software to maintain records, and
  - (iv) Performing program reviews for compliance.
- (c) Third-party disclosure requirements, which include the following:
- (i) Posting information,
  - (ii) Labeling an item to provide information to the user, and
  - (iii) Notifications (e.g., notifying a worker of his/her radiation dose).
4. Before conducting an information collection initiated outside the rulemaking process, an agency must—
- (a) Develop an estimate of reporting, recordkeeping, and third-party disclosure burdens on non-Federal entities.
  - (b) Publish two *Federal Register* notices (FRNs) soliciting public comment on the collection.
  - (c) Submit the collection to OMB for review.
  - (d) Receive approval from OMB, including an OMB control number assigned to the collection and expiration date, if an expiration date is assigned by OMB.
  - (e) Include a PRA Statement, including OMB control number and expiration date, on any information collection instruments, instructions, or guidance.
5. Before conducting an information collection initiated as part of a proposed rule, an agency must—
- (a) Develop an estimate of reporting, recordkeeping, and third-party disclosure burdens on non-Federal entities.
  - (b) Solicit public comments on the information collection contained within the proposed rule.
  - (c) Submit the collection in the proposed rule to OMB for review.

- (d) Submit the collection contained in the final rule, as well as responses to public comments on the collection, to OMB for review.
- (e) Receive approval from OMB for the final rule, including an OMB control number assigned to the collection and expiration date, if an expiration date is assigned by OMB.
- (f) Include a PRA Statement, including OMB control number and expiration date, on any information collection instruments, instructions, or guidance.

## **B. Exemptions**

### **1. General exemptions**

The PRA and OMB regulations and guidance specify a number of items that are generally not “information” or are otherwise exempt from PRA requirements. Offices that believe their proposed information collection may be exempt from OMB clearance requirements should contact the Office of the Chief Information Officer (OCIO) to confirm that a clearance is not needed. The following are examples of exempt items:

- (a) Affidavits.
- (b) Receipts.
- (c) Changes of address.
- (d) Consents.
- (e) Tests of the aptitude, abilities, and knowledge of persons.
- (f) Facts or opinions that are—
  - (i) Submitted in response to general solicitations of public comments,
  - (ii) Addressed to a single person,
  - (iii) Obtained or solicited at or in connection with public hearings or meetings, so long as the activities do not exceed the scope of a typical public hearing or meeting (for instance, using a public meeting as an occasion to conduct a focus group or distribute a survey would not be covered by this exemption),
  - (iv) Obtained through direct observation by the agency (e.g., through visual inspection to determine how long it takes for people to complete a specific transaction), or
  - (v) Obtained from participants in clinical trials.
- (g) Information collected during a Federal criminal investigation or prosecution, during a civil action to which the United States is a party, or during the conduct of intelligence activities.

- (h) Questions posed to other Federal agencies, instrumentalities, or employees of the United States in their official capacities, unless the results are to be used for general statistical purposes.
- (i) Items collected to allow users to select or customize agency data (e.g., a Web site that filters data content through drop down menus and standardized text or numeric entries).
- (j) Items collected to allow users to obtain information from an agency formula or table (e.g., an online calculator), if the items are solely those necessary for the user to obtain this information and will not be used by the agency for other purposes, including informing research and statistics or to determine program funding.

## 2. Social Media

OMB has provided specific exemptions for certain uses of social media (OMB memorandum, "Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act," issued April 7, 2010). Offices seeking to collect information using social media should contact OCIO to confirm that the proposed collection is exempt from OMB clearance requirements. The following are examples of exempt uses of social media:

- (a) General or undifferentiated online suggestion boxes, which do not include specific questions;
- (b) General, open-ended requests for comments on a report or proposed initiative, or for ideas, comments, suggestions, or anything else that might improve the program;
- (c) Agency publication of an e-mail address to which respondents may send general suggestions;
- (d) Subscriptions to agency notifications or publications that require the collection of only name, address, and/or e-mail address;
- (e) Online account creation tools that are limited to e-mail address, username, password, and geographic location (e.g., State, region, or ZIP code) for account registration;
- (f) Interactive meetings that are conducted in a manner that is equivalent to in-person public meetings (public conference calls, webinars, blogs, discussion boards, forums, message boards, chat sessions, social networks, and online communities);
- (g) Ratings and rankings of postings or comments by Web site users, including voting on, flagging, labeling, or similarly assessing the value of ideas, solutions, suggestions, questions, and comments posted by other Web site users;

- (h) Information that is necessary to conduct a voluntary commercial transaction, related to the selection, payment, or delivery of an item, or to identify the person ordering an item; and
- (i) Agency-sponsored contests, if no additional information is collected for the contest beyond what is necessary to contact the entrants and no structured questions are asked.

### 3. Orders

The NRC's Office of the General Counsel (OGC) has determined that information collections contained in agency orders are exempt from OMB clearance requirements. Offices involved in the issuance of orders should—

- (a) Determine the following information when orders are issued:
  - (i) The number of affected respondents,
  - (ii) The estimated burden per licensee for each type of information collection (reporting, recordkeeping, and third party disclosure), and
  - (iii) The retention period for any records.
- (b) Include information about the orders and burden type when preparing the supporting statement for the associated information collection renewal. For example, the burden for security orders will generally be captured in the renewal of the information collections associated with 10 CFR Part 73, "Physical Protection of Plants and Materials."

### C. Material Not Covered in this Handbook

1. This handbook does not apply to requests or requirements addressed to nine or fewer persons within a 12-month period. However, OMB has deemed that any recordkeeping or reporting requirement contained in a rule of general applicability involves 10 or more persons. In addition, OMB presumes that any request for information addressed to all or a substantial portion of an industry involves 10 or more persons.
2. This handbook does not apply to the following requests and requirements:
  - (a) Certain collections during criminal proceedings,
  - (b) Federal civil or administrative actions involving an agency against specific individuals or entities,
  - (c) Antitrust proceedings,
  - (d) Intelligence activities, and
  - (e) Items excluded under the definition of "information collection" in Section VII, "Glossary," of this handbook.

3. Note that recipients of funds under grants and cooperative agreements are not generally requested by the agency to perform surveys to solicit information. An effort by the agency to obtain survey results through these recipients would likely require OMB clearance.

#### **D. Electronic Information Requirements**

All electronic information processing, storage, and transmission must comply with MD 12.5, "NRC Cybersecurity Program."

## **II. RENEWAL OF A PREVIOUSLY APPROVED INFORMATION COLLECTION**

### **A. Renewing a Previously Approved Information Collection (Draft Stage)**

1. All NRC information collections previously approved by OMB must be renewed (reapproved by OMB) every 3 years. A list of currently approved NRC information collections is available on the OMB and U.S. General Services Administration (GSA's) Web site at <http://www.reginfo.gov/public/do/PRAMain>. Exhibit 1, "OMB Approval Process for Information Collection (IC) Renewals," of this handbook shows a flowchart of the OMB clearance process.
2. OCIO will notify the responsible office or region 12 months before the expiration of an information collection and will provide the due dates for draft and final clearance packages. Exhibit 2, "Schedule and Process for Information Collection Renewals and New Collections," of this handbook shows a typical renewal schedule.
3. The responsible office or region will submit to OCIO a draft OMB clearance package at least 9 months before the expiration of an existing clearance. The clearance package must include the following:
  - (a) A draft supporting statement for the collection of information. The supporting statement must identify each specific information collection, its need and use, and provide the burden for any new, modified, or deleted information collections contained in any document. This document is reviewed by OCIO and OMB to ensure that the information collection—
    - (i) Is the least burdensome necessary for the proper performance of the agency's functions to comply with legal requirements and achieve program objectives;
    - (ii) Is not duplicative of information otherwise accessible to the agency; and
    - (iii) Has practical utility and minimizes the NRC's costs of collection, processing, and using the information without unnecessarily shifting these costs to the public.
  - (b) Guidance for completing the supporting statement is located on the OCIO Information Collections – Guidance internal Web site at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/guidance.html/guidance.html>. A supporting statement template is

located on the OCIO information collections Template Web site at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>.

- (c) An FRN requesting comment for 60 days on the proposed collection with concurrences from the responsible office. The 60-day FRN template is available at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>. The FRN must solicit public comments on the following four questions:
    - (i) Is the proposed information collection necessary for the NRC to properly perform its functions? Does the information have practical utility?
    - (ii) Is the estimate of burden of the information collection accurate?
    - (iii) Is there a way to enhance the quality, utility, and clarity of the information to be collected?
    - (iv) How can the information collection burden be minimized, including the use of automated collection techniques or other forms of information technology?
  - (d) A copy of the agency directive authorizing the imposition of a collection of information (e.g., order, policy statement).
  - (e) NRC Form 620, "Assessment and Certification of Proposed Information Collection," which is available on the NRC Forms Library on SharePoint, at <http://fusion.nrc.gov/nrcformsportal/default.aspx>.
  - (f) A copy of any information collection instrument (bulletin, generic letter, survey, NRC form, or screen shots of any Web-based data collections).
  - (g) The accession number for the Agencywide Documents Access and Management System (ADAMS) package containing the supporting statement, FRN, NRC Form 620, and document imposing the collection. It is the responsibility of the submitting office or region to enter the draft OMB clearance package into ADAMS before submitting the package to OCIO for review, and to provide ADAMS owner rights to the information collections staff in OCIO.
4. OCIO will review the draft supporting statement and other accompanying documentation, obtain the concurrence of the NRC Clearance Officer, submit the FRN to the Office of Administration (ADM) for publication in the *Federal Register* for a 60-day comment period, and make the package available in ADAMS and on the docket for the collection at <http://www.regulations.gov>.
5. During the 60 days that the information collections are out for public comment, responsible offices must solicit input from nine or fewer potential respondents to the collection. The solicitation of feedback should—
- (a) Pose the four questions from the FRN for the collection, as provided in Section II.A.3(c) of this handbook.
  - (b) Direct the respondent to the location of the supporting statement and other documentation on the docket for the collection at <http://www.regulations.gov>.

- (c) Identify the FRN publication date and end of the comment period.
- (d) Provide the docket number for the information collection and direct the respondent to provide comments to the docket at <http://www.regulations.gov>.

#### **B. Renewing a Previously Approved Information Collection (Final Stage)**

1. OCIO will provide the responsible office or region with any comments received from the public as they are received. OCIO will upload all comments to ADAMS and make them publicly available in ADAMS and on the docket at <http://www.regulations.gov>. If no comments are received, OCIO will confirm this by e-mail to the responsible office or region at the end of the 60-day comment period.
2. The responsible office or region will update and finalize the supporting statement prepared during the draft stage of the information collection renewal process as described in Section II.A.3(a) and (b). Item A.8, "Consultations Outside the NRC," on the supporting statement should be updated to include the *Federal Register* citation and publication date for the 60-day FRN. In addition, the office or region should indicate either that "no comments were received," or respond to each specific comment submitted by the public. If public comments warrant changes to the supporting statement, the responsible office or region will modify the other sections of the supporting statement appropriately, including increasing or decreasing burden estimates.
3. The responsible office or region will submit to OCIO a final OMB clearance package at least 4 months before the expiration of an existing clearance. It is the responsibility of the submitting office to enter the draft OMB clearance package into ADAMS before submitting the package to OCIO for review, and to provide ADAMS owner rights to the information collections staff in OCIO. The clearance package must include the following:
  - (a) A final supporting statement for the collection of information;
  - (b) An FRN requesting comment for 30 days and notifying the public of NRC's intention to submit the collection to OMB, with concurrences from the responsible office (The 30-day FRN template is available at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>.);
  - (c) A copy of any information collection instrument (bulletin, generic letter, survey, NRC form, survey, or screenshots of any Web-based data collections), in the finalized format that will be used to collect or request the information; and
  - (d) The accession number for the ADAMS package containing the supporting statement, FRN, and the document imposing the collection.
4. OCIO will review the package and work with the responsible office to ensure that all comments have been adequately addressed.

5. OCIO will review the final supporting statement and other accompanying documentation, obtain the concurrence of the NRC Clearance Officer, submit the FRN to ADM for publication in the *Federal Register* for a 30-day comment period, and make the package available on the docket at <http://www.regulations.gov>.
6. OCIO will submit the final clearance package to OMB using OMB's online submission system, the Regulatory Information Service Center (RISC) and the Office of Information and Regulatory Affairs (OIRA) Consolidated Information System (ROCIS).
7. OMB must inform NRC of its approval or disapproval of an information collection within 60 days from the date it receives the request for review or if OMB does not conclude its review in 60 days, the agency may request, and OMB will grant, a 1-year clearance approval; however, it is not the NRC's practice to request a 1-year clearance for OMB reviews taking longer than 60 days.
  - (a) If OMB disapproves the collection of information, procedures set forth in Section IV.D of this handbook should be considered. If, during its review, OMB raises concerns that OCIO cannot resolve, the NRC Clearance Officer and staff from the responsible office will attempt to resolve those concerns with the OMB Desk Officer by telephone, through meetings, or by written communications.
  - (b) When OCIO receives OMB approval of an information collection, it will inform the responsible office within 1 week by providing a copy of the "Notice of Action" generated by OMB. The notice will include the OMB control number and expiration date. Past Notices of Action for NRC information collections may be viewed at the OMB and U.S. GSA Web site at <http://www.reginfo.gov/public/do/PRAMain>.
8. The responsible office will add the OMB control number and related information to any document or electronic vehicle used to establish or conduct the information collection, as instructed by OCIO.

### **C. Modifying a Previously Approved Information Collection**

1. In general, changes to an existing information collection cannot be made without OMB approval. An office or region seeking to modify an existing collection outside of the regularly scheduled renewal should contact OCIO, regardless of whether the change will result in an increase, a decrease, or no change in burden to respondents. There are three types of changes—

- (a) Substantive Changes (revisions)

Examples of substantive changes (or revisions) include changes to the format of a form (additional columns or rows), the addition or deletion of response fields on a form, new forms added to a series of forms, additional questions on a survey or questionnaire, or any addition or removal of reporting, recordkeeping, or third-party disclosure requirements for an existing collection.

(b) Nonsubstantive Changes

Examples of nonsubstantive changes include minor changes to forms that reduce or minimally increase respondent burden, or minor changes to surveys or questionnaires.

(c) Administrative Changes

Examples of administrative changes include a change in mailing address or office name on a form. OMB approval is not required for administrative changes to forms.

2. Substantive Changes (revisions)

Offices or regions seeking to make substantive revisions to an existing information collection outside of the rulemaking process must follow the full OMB clearance procedures, as outlined in Section II of this handbook and shown in Exhibit 2, including the publication of two FRNs (with a 60-day and a 30-day comment period) and submission to OMB for a full 60-day review. The FRN templates for a revision are the same as for a renewal, and are located at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>. Upon approval by OMB, the expiration date for the collection will be extended for 3 years. The timeframe for a revision may be reduced to less than 12 months on a case-by-case basis, in consultation with the NRC Clearance Officer, if the responsible office is able to prepare and submit the required documents to OCIO faster than the allotted time frames. Offices seeking to make revisions to an existing information collection as part of the rulemaking process should follow instructions provided in Section IV of this handbook.

3. Nonsubstantive changes

(a) Offices or regions seeking to make nonsubstantive revisions to an information collection must contact OCIO with the following materials:

- (i) An explanation of, and justification for, the change;
- (ii) Copies of the currently approved collection and the proposed revision; and
- (iii) An estimate of the change in responses and burden hours.

(b) OCIO will contact the OMB Desk Officer to obtain approval to use the nonsubstantive change process, which differs from the full OMB clearance process. If the OMB Desk Officer determines that the change is nonsubstantive, OCIO will submit the materials in ROCIS. Upon OMB's approval of the change, OCIO will forward OMB's "Notice of Action" to the responsible office or region. Offices and regions should allow 60 days for OMB review. The expiration date for the collection will not be extended upon approval by OMB of a nonsubstantive change. Note that the nonsubstantive change process is generally not used for information collection changes associated with final rules.

#### D. Discontinuing a Previously Approved Information Collection

1. The responsible office may choose to discontinue an information collection at any time if the agency is no longer conducting the information collection. To discontinue a collection, a branch chief (or higher level manager) in the responsible office or region must submit an e-mail to the NRC Clearance Officer stating:
  - (a) The title and clearance number to be discontinued,
  - (b) The reason for the discontinuation, and
  - (c) The requested date of discontinuation.
2. OCIO will submit to OMB in ROCIS a request to discontinue the collection and will notify the responsible office or region once OMB has completed the action.
3. Once an information collection has been discontinued, no information collection activities may be conducted under the discontinued clearance number. The responsible office or region may reinstate the clearance by following the procedures set forth in Sections II.A and II.B of this handbook.
4. An approved information collection no longer in use cannot be allowed to expire. It must be discontinued to avoid a PRA violation, as specified in Section VI of this handbook.

### III. NEW INFORMATION COLLECTIONS NOT CONTAINED IN RULES

#### A. Requirements for a New Information Collection

1. Any new request for information, recordkeeping requirement, or third-party notification requirement affecting 10 or more non-Federal entities must be approved by OMB before implementation. New forms developed to implement existing regulatory requirements are considered new collections that must be approved by OMB. **These new collections must receive OMB approval regardless of whether they are mandatory, voluntary, or low-burden.**
2. Offices should allow 9-12 months to obtain an OMB approval and clearance number for a new information collection (see Exhibit 2). The OMB clearance process may run in parallel to other NRC processes. For example, for agency actions that require a general comment period independent of information collection considerations (such as a Generic Letter), the general comment period may run concurrently with the first comment period on information collections. The time frame for the OMB clearance process is based upon the following schedule:
  - (a) Office development of, and concurrence in, a supporting statement for the collection and preparation of an FRN soliciting public comment (30-90 days);
  - (b) OCIO review of the information collection and associated documentation, and concurrence in and publication of the FRN (30-60 days);

- (c) Initial public comment period on the information collection (60 days);
  - (d) Office preparation of and concurrence in the final OMB clearance package (30 days);
  - (e) OCIO review of the final OMB clearance package and publication of the FRN (30 days);
  - (f) Second comment period and submission to OMB (30 days); and
  - (g) Review and approval of the information collection by OMB (60 days).
3. An office or region seeking to initiate a new information collection outside of the rulemaking process should contact OCIO to discuss the proposed information collection and follow the procedures set forth in Section III of this handbook. (New information collections contained in rulemakings are covered in Section IV of this handbook.) OCIO will determine whether a new OMB clearance number is needed or whether the information collection is covered under an existing clearance.
  4. New collections will go through the same process as a renewal of an existing information collection (see Section II of this handbook) with two differences—
    - (a) The responsible office will develop a new supporting statement based on their requirements, rather than revising an existing supporting statement; and
    - (b) Any references to the OMB control number will use the placeholder "3150-XXXX" until OMB approves the information collection and assigns an OMB control number.
  5. Some collections of information may be eligible for approval under shortened timeframes or may be exempt for PRA requirements. These collections include—
    - (a) Generic information requests (see Section III.B of this handbook);
    - (b) Customer satisfaction surveys (see Section III.C of this handbook); and
    - (c) General exemptions and social media exemptions (see Section I.B of this handbook).
  6. Information may not be collected until OMB has concluded its review and assigned a clearance number to the collection. An appropriate PRA Statement, provided by OCIO, must be displayed on the information collection instrument.

#### **B. Obtaining OMB Approval of an Information Collection Conducted under a Generic Clearance**

1. When NRC plans to conduct more than one information collection using very similar methods, the agency may request OMB approval of a generic clearance. The PRA provides that OMB may approve a plan for a generic clearance when the need and practicality of the data collection can be evaluated in advance as part of the review of the proposed plan, but the details of the specific individual collections will not be

- known until a later time. Most generic clearances cover collections that are voluntary, uncontroversial, and low-burden, whether measured by total burden, total respondents, or burden per respondent.
2. To establish a new generic clearance, the NRC must follow the public comment and OMB submission procedures for a new collection (see Section III of this handbook); however, the supporting statement will provide a plan for future collections (e.g., surveys, information collection requests) without providing the instruments themselves. Burden will be estimated for all anticipated information collections (e.g., surveys, letters requesting information) over the 3-year clearance period.
  3. Once the generic clearance is approved by OMB, NRC may submit specific information collection instruments (e.g., surveys, letters requesting information) to OMB for expedited review (approximately 10 business days), without soliciting further public comment. The NRC's approved generic clearances include—
    - (a) Requests to Agreement States for Information (3150-0029);
    - (b) Requests to Non-Agreement States for Information (3150-0200); and
    - (c) Reports Concerning Possible Non-Routine Emergency Generic Problems (3150-0012), to be used when NRC can demonstrate that there are immediate potential health and safety consequences and where a response is required in less than 30 days.
  4. Review and concurrence by the NRC Clearance Officer, as well as review by the OMB Desk Officer, is required on any document bearing a generic clearance number.
  5. In order to use one of the approved generic clearances, an office should contact the NRC Clearance Officer to determine if the proposed collection fits into the information collection plan established in the supporting statements for one of the established generic clearances.
    - (a) The information provided should include—
      - (i) The information collection instrument (survey, letter);
      - (ii) An estimate of the number of respondents; and
      - (iii) The estimated burden to respond to the request.
    - (b) The responsible office or region should allow 5 days for OCIO review of the collection.
    - (c) If OCIO agrees that the proposed collection meets the established criteria for an existing generic collection, OCIO will submit the information collection instrument to OMB in ROCIS. The responsible office or region should allow 10 business days for OMB review.

- (d) OCIO will notify the requesting office or region of OMB's decision. If OMB determines that the information collection is not within the scope of the approved generic clearance, the collection may need to go through the full OMB clearance process described in Section III.A of this handbook.
6. An information collection issued under a generic clearance must include—
- (a) A PRA Statement and Public Protection Notice as provided by OCIO,
  - (b) An OMB control number,
  - (c) An expiration date,
  - (d) A burden estimate,
  - (e) The mandatory or voluntary nature of the response,
  - (f) The agency's need for the information, and
  - (g) The method for submitting comments on the information collection.

### **C. Obtaining OMB Approval of Customer Satisfaction Surveys**

1. NRC has obtained a generic fast-track clearance for the collection of routine customer feedback (3150-0217). This clearance allows the agency to quickly obtain approval for the agency to assess users' satisfaction with NRC services, without soliciting public comment on each information collection request. The following methods for obtaining customer feedback may be used:
- (a) Comment card/form,
  - (b) Customer satisfaction survey,
  - (c) Focus group,
  - (d) Small discussion group, or
  - (e) Usability testing (of software or a Web site).
2. Information collections approved under the fast-track clearance are those that focus on customer perception, preferences, and related opinions about the agency's performance in the area of customer services. To be eligible for approval under the fast-track customer satisfaction survey, the information collection must be—
- (a) Voluntary,
  - (b) Low burden to respondents and low-cost to the Federal Government, and
  - (c) Non-controversial and must not raise issues or concerns of other Federal agencies.

3. The fast-track clearance may not be used for questions posed to evaluate a program or inform policy decisions, nor can it be used if the results will be published or made publicly available on the World Wide Web.
4. To obtain OMB approval for a new Customer Satisfaction Survey, the responsible office must submit the following documents to OCIO:
  - (a) A completed NRC Form 671, Request for Approval Under the “Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery” (OMB Control Number: 3150-0217), which is available on the NRC Forms Library in SharePoint at <http://fusion.nrc.gov/nrcformsportal/default.aspx>, with management signature or e-mail concurrence (branch chief level, minimum), including burden estimates and a summary of the purpose of the collection and a description of respondents; and
  - (b) A copy of the survey, discussion group, or focus group questions.
5. Offices or regions should allow 5-10 business days for OCIO review. OCIO will review the survey and supporting documentation, submit the survey to OMB, and notify the responsible office or region upon approval or disapproval.
6. OMB reviews information collection activities submitted under the fast-track customer satisfaction clearance on an expedited basis, and generally provides approval within 5 days. Note that the limitations of OMB’s ROCIS submission system allow a maximum of three customer satisfaction surveys to be submitted to OMB at any given time in a single “bundled” submission. Therefore, OMB review time may be extended if another NRC survey or set of surveys is currently under review. Upon OMB approval, OCIO will forward OMB’s “Notice of Action” to the responsible office or region.
7. An office issuing an information collection instrument issued under a generic customer satisfaction clearance must display a PRA Statement and Public Protection Notice as provided by OCIO, with the following information:
  - (a) OMB control number 3150-0217;
  - (b) Expiration date;
  - (c) Burden estimate;
  - (d) The mandatory or voluntary nature of the response;
  - (e) The agency’s need for the information; and
  - (f) The method for submitting comments on the information collection.

## IV. INFORMATION COLLECTIONS CONTAINED IN PROPOSED AND FINAL RULES

### A. OMB Review of Information Collections Contained in Proposed Rules

1. Rules that modify existing information collections in any way (e.g., increase or decrease burdens in any amount, change reporting frequency) or add new information collections require OMB approval. Offices engaging in rulemakings that involve changes to information collections should contact the NRC Clearance Officer when the rulemaking working group is formed, and request the assignment of an OCIO working group member.
2. OCIO should be included on interoffice concurrence for all proposed rules. OCIO requires the following materials in order to review a proposed rule:
  - (a) The FRN for the rule with a PRA Statement;
  - (b) A supporting statement describing the rule, the new or modified sections of the CFR containing information collections, and the impact on respondent burden;
  - (c) NRC Form 620, "Assessment and Certification of Proposed Information Collection," which is available in the NRC Forms Library in SharePoint; and
  - (d) Supporting documentation (e.g., NRC forms, regulatory analysis, guidance documents, and surveys).
3. All the information required to meet PRA public notice requirements for a proposed rule is contained in the PRA Statement for the rule. Therefore, no separate FRN is published for information collections contained in a proposed rule. Templates for PRA Statements for proposed rules are located on the OCIO Information Collections Template Web site at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>.
4. Rulemaking packages requiring significant OCIO review effort must be submitted at least 4 weeks before the requested OCIO concurrence date and may be submitted as a draft document. However, a complete and potentially controversial revision to a major 10 CFR Part, or development of a new CFR part, may require a longer lead time and the responsible office should discuss schedules with the OCIO working group member before requesting concurrence. Rulemakings requiring at least four weeks of OCIO review include:
  - (a) New 10 CFR Parts,
  - (b) Rulemakings that move, revise, and renumber existing sections within 10 CFR Parts,
  - (c) Rulemakings with controversial information collections,
  - (d) Rulemakings with more than 20 pages of amended regulatory text, or

- (e) Rulemakings with more than 10 pages of regulatory text consisting primarily of information collection requirements.
5. Other rulemakings should be submitted at least 2 weeks before the requested concurrence date. Concurrence timeframes of less than 2 weeks should be discussed with the OCIO working group member and NRC Clearance Officer in advance of the interoffice concurrence request.
  6. Each office that initiates a rulemaking that modifies or discontinues existing information collections or adds new information collections will work with the OCIO working group member to develop a draft supporting statement, which describes each new, revised, or discontinued information collection, its need and use, and the reason for the change. The supporting statement will include a table identifying the burden as follows:
    - (a) For modified and discontinued requirements, burden estimates will reflect the change from the approved burden for existing requirements to the burden for the modified/discontinued requirements. The burden change will be shown as a positive number if reflecting an increase in the burden from a revised information collection, or negative number if reflecting a decrease in the burden from a revised or discontinued information collection.
    - (b) As an example of how to report a burden change, for a modified requirement that increases the burden from 100 hours to 160 hours, the burden table will show 60 hours (the difference between the revised estimate and the previous estimate).
    - (c) New information collections should reflect the total burden for the requirement.
    - (d) The number of licensees affected should be consistent with the current clearance approval, or the reason for the difference should be explained in detail.
    - (e) The information developed in the draft supporting statement should be used to complete the draft PRA Statement in the proposed rule and updated, as necessary, when the final supporting statement is completed.
  7. If the rule adds or deletes any sections of the CFR containing information collections, the responsible office must include a revised "Information Collection Requirements: OMB Approval" section in the rule.
  8. When submitting the proposed rule package to ADM for publication, the responsible office must provide ADM with documentation of OCIO concurrence in the proposed rule.
  9. OCIO will submit the rule to OMB on the day that the proposed rule is published in the *Federal Register*. OMB has 60 days from receipt of a clearance package to conclude its review. OMB may take one of the following actions:
    - (a) Preapprove the Rule

If OMB approves the information collections contained in a proposed rule, and there are no significant changes made to information collections contained in the

final rule, the information collection approval process is complete. It is not the current practice of OMB to preapprove rules at the proposed rule stage.

- (b) Comment on the Proposed Rule, but Withhold Approval (Otherwise Known as “Comment and Continue”)

This action means that OMB has reviewed the rule, but will again review the rule at the final rule stage. The current practice of OMB is to file a “Comment and Continue” on proposed rules.

- (c) Disapprove the Proposed Rule

Although the OMB Desk Officer may disapprove a rule at the proposed rule stage, this is not a typical outcome.

10. OCIO will forward the “Notice of Action” for the proposed rule to the responsible office.

## **B. OMB Approval of Information Collections Contained in Final Rules**

1. If OMB does not approve the information collections at the proposed rule stage, the proposed information collections must be resubmitted to OMB for approval at the final rule stage. The responsible office may use the OMB clearance package prepared for the proposed rule with the addition of a description and justification for all changes (including any changes resulting from public comments) and adjustments to the burden, using redline/strikeout to highlight the changes from the previous OMB submittal. The process for preparing supporting statements for proposed rulemakings as described in Section IV.A of this handbook should be followed with the following changes:
  - (a) NRC must solicit public comment on all information collection requests. For rulemakings, solicitation of comments occurs at the proposed rule stage.
  - (b) If the final rule adds or deletes any sections containing information collections, program staff must include a revised "Information Collection Requirements: OMB Approval" section in the rule. Because other rulemakings may have become effective since the proposed rule was published, it may be necessary to revise the proposed section that was included in the proposed rule. Program staff should ensure that they are using the most up-to-date version of the CFR. Staff who use the hard-copy CFR (updated January 1 of each year) also must use the monthly “List of CFR Sections Affected” or LSA, for later part revisions, at <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=LSA>).
  - (c) Templates for PRA Statements for final rules are located on the OCIO Information Collections Template Web site, at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>.
2. It is the policy of OCIO that final rules cannot be published until the NRC receives OMB preapproval on the information collections contained in the rule. OMB "preapproval" at the final rule stage means that OMB has approved the collection in

the final rule prior to the final rule's publication in the Federal Register. Because it may be necessary to address OMB comments or make changes in the rule on the basis of OMB concerns, office staff should submit the final rule to the Commission for approval and affirmation or to the EDO for approval, if the rule is to be signed by the EDO, but not publish it until OMB's comments or action are received. Exhibit 3 of this handbook shows a flow chart of the OMB clearance process for a proposed and final rule.

3. OCIO will submit the rule to OMB through ROCIS once the final rule has received Commission approval and affirmation, or EDO approval. OMB has 60 days from receipt of a clearance package to make its decision. OMB may make one of the following decisions:
  - (a) Preapproval without Changes

Upon receipt of a "Notice of Action" indicating preapproval of the final rule, the NRC may publish the final rule.
  - (b) Preapproval with Changes

If OMB has concerns that can be resolved, the resolution and any changes made to the final rule should be addressed in the rulemaking or in a Commission paper, if required, that accompanies the rule for reapproval and reaffirmation. Once a final rule is preapproved, it may be published.
  - (c) Disapproval

If OMB disapproves an information collection, staff may consider NRC's OMB override procedures. See Section IV.D of this handbook.
4. If OMB preapproves the information collections, OCIO will promptly inform the responsible office through the rulemaking project manager by providing a copy of OMB's "Notice of Action." The responsible office may then notify ADM that the final rule can be published. OCIO will confirm to ADM that the rule may be published. The responsible office should make the supporting statement publicly available in ADAMS and on the rulemaking docket.
5. Thirty days after publication of the final rule, OCIO will update ROCIS with the FRN citation and publication date. This will change the status of the rule in ROCIS from preapproved to approved in ROCIS.

### **C. Rulemakings Not Containing Information Collections**

1. When a rulemaking does not contain a new or modified information collection, a negative declaration stating that the rule does not contain information collections should be included in the PRA Statement. A template for a PRA Statement for rules that do not impact existing information collections is located on the OCIO Information Collections Template Web site, at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/templates.html>. A negative declaration is not required in any other document.

2. When an office establishes an information collection that will affect fewer than ten respondents, the following negative declaration must be included in the document used to establish the collection: "This information collection affects fewer than ten respondents. Therefore, OMB approval is not required pursuant to the PRA of 1995 (44 U.S.C. 3501 et seq.)." Note that OMB has deemed that any recordkeeping or reporting requirement contained in a rule of general applicability involves 10 or more persons. In addition, OMB presumes that any request for information addressed to all or a substantial portion of an industry involves 10 or more persons.

**D. Procedures for Obtaining a Commission Override of an OMB Decision to Disapprove, Require Material or Substantive Changes to, or Stay the Effectiveness of an NRC Information Collection**

1. Upon notice from the Chief Information Officer (CIO) of OMB's decision to disapprove, require material or substantive changes to, or stay the effectiveness of an NRC information collection, an office director or a regional administrator may recommend to the EDO that the Commission override OMB's decision. The office director or the regional administrator will submit to the EDO a staff paper addressing the issues raised by OMB, including a draft letter from the Chairman to the Director of OMB informing OMB of the Commission's decision to override and the reasons for that decision. OGC and OCIO will provide review and comment on the staff paper through the agency's standard SECY paper concurrence process.
2. The EDO may recommend to the Commission that it override OMB's decision by forwarding the staff paper to the Commission.
3. When the Commission completes action on the paper, the Office of the Secretary (SECY) will issue a staff requirements memorandum informing staff of the Commission's decision. If approved, the staff should forward the final letter going to OMB to SECY for the Chairman's signature.
4. When OMB receives the Chairman's letter, it will provide NRC an approval number that will be valid for the requested period, up to 3 years, at which time a renewal will be required.
5. When the Commission overrides an OMB decision to disapprove, require material or substantive changes to, or stay the effectiveness of an NRC information collection, the document establishing the information collection must include this statement: "This information collection has been approved by a majority vote of the Commissioners of the U.S. Nuclear Regulatory Commission pursuant to authority granted by Pub. L. 104-13. The OMB approval number is [place clearance number here, in 3150-XXXX format]. The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number."

## **V. PROCEDURES FOR REQUESTING EXPEDITED OMB REVIEW**

### **A. Circumstances for Expedited Review**

OMB may modify or waive the public comment requirements and perform an expedited review of an information collection that is needed prior to the expiration of the normal PRA process time periods and is essential to the mission of the agency under the following circumstances:

1. In the event public harm is likely to result (only in those rare instances when an emergency action is needed to protect public health and safety),
2. If a statutory or court-ordered deadline would be missed when those provisions are followed, or
3. An unanticipated event has occurred.

### **B. OMB Expedited Approval**

An expedited approval by OMB is effective for a maximum of 90 days after OMB approves the request to authorize the expedited information collection.

1. To obtain OMB approval for the expedited issuance of an information collection, the responsible NRC office director or regional administrator must approve the request for OMB authorization of the expedited collection. The issuing office or region will promptly provide the request for an expedited collection of information to the NRC Clearance Officer, OCIO, for submission to OMB. The specific requirements for solicitation of public comments and submission to OMB will be determined by OMB.
2. The expedited information collection instrument will include an appropriate PRA Statement and Public Protection Notice as provided by OCIO, including—
  - (a) An OMB control number,
  - (b) An expiration date,
  - (c) A burden estimate,
  - (d) The mandatory or voluntary nature of the response,
  - (e) The agency's need for the information, and
  - (f) The method for submitting comments on the information collection.

## **VI. VIOLATIONS OF THE PAPERWORK REDUCTION ACT**

### **A. Common PRA Violations**

The following actions constitute the most common PRA violations:

1. Implementing an information collection before to receiving OMB approval;

2. Distributing an information collection instrument without displaying an appropriate PRA Statement; or
3. Failing to renew or discontinue an information collection before its expiration date.

#### **B. Corrective Actions**

1. The PRA violations may be identified by the public, OMB staff, or by NRC staff. If the NRC staff becomes aware of a potential PRA violation, the NRC Clearance Officer will discuss the potential violation with the responsible office or region before contacting the OMB Desk Officer to confirm the violation. OMB will determine the corrective actions that the agency must take, including withdrawing the information collection, following the full OMB clearance process for a new collection, or both.
2. Once the violation has been identified or confirmed by OMB, OCIO will take the following steps:
  - (a) The NRC Clearance Officer will communicate to the CIO and the Deputy CIO the nature of the violation and the responsible office.
  - (b) The CIO will send a memorandum to the office director in the responsible office providing details of the violation and suggested corrective actions.
  - (c) The NRC Clearance Officer will include information about the violation in the annual Information Collection Budget reported to OMB. The violation will be included in OMB's annual Information Collection Budget of the United States Government, which serves as the annual report to Congress on the implementation of the PRA.

### **VII. GLOSSARY**

#### **Adjustment**

Any change in burden due to a change in the number of expected responses, the number of respondents, or the burden estimate per response based on staff experience.

#### **Burden**

The total time, effort, and/or financial resources required to generate, maintain, retain, disclose, or provide information, including time to—

- Read or hear and understand instructions.
- Develop, modify, construct, copy, or assemble any materials or equipment needed solely to respond to the request.
- Develop, acquire, install, or utilize technology and systems for the purpose of collecting, validating, verifying, processing, maintaining, disclosing, or reporting information.

- Compile information from records and/or conduct tests, interviews, inspections, polls, observations, or other activities necessary to obtain the information.
- Train personnel to respond to an information collection.
- Organize the information into the requested format.
- Maintain, disclose, disseminate, or report the information.
- Review the accuracy and appropriateness of the information.
- Respond to any follow-up request for clarification, further information, or verification.

An information collection conducted or sponsored by a Federal agency that is also conducted or sponsored by a State, local, or tribal government is presumed to impose a Federal burden except to the extent that the agency shows that these State, local, or tribal requirement would be imposed in the absence of a Federal requirement.

Burden does not include the time and financial resources necessary to comply with collections of information that would be incurred by persons in the normal course of their activities (e.g., technical requirements, including the installation of equipment or conducting inspections) if it can be demonstrated that these collections are usual and customary.

The burden imposed by all third-party collections must be included in the clearance package.

### **Information**

Any statement of fact or opinion, whether in numerical, graphic, or narrative form, and whether oral, maintained on paper, electronically, or on other media. Information does not include—

- Identification of the respondent, the date, the respondent's address, and the reading of minimum information sufficient to understand the nature of the request for the purpose of an affidavit, oath, affirmation, certification, receipt, change of address, consent, or acknowledgment.
- Samples of products or of any other physical objects.
- Facts or opinions obtained through direct observation by an employee or an agent of the sponsoring agency or through nonstandardized oral communication in connection with these direct observations.
- Facts or opinions submitted in response to general solicitations of comments from the public, published in the Federal Register or other publications, unless, as a condition to the agency's full consideration of the comment, a person is required to supply specific information pertaining to the commenter other than that minimally necessary for self-identification.

- Facts or opinions obtained from individuals, including those in control groups, in connection with treatment for or prophylaxis to prevent a clinical disorder, if this information is to be used for purposes of research on or direct treatment of that disorder, or for the interpretation of biological analyses of body fluids, tissues, or other specimens, or for identification or classification of these specimens.
- A request for facts or opinions addressed to a single person.
- Examinations designed to test the aptitude, abilities, or knowledge of the persons tested and related information for identification or classification in connection with these examinations.
- Facts or opinions obtained or solicited at or in connection with public hearings or meetings.
- Facts or opinions obtained or solicited through nonstandardized follow-up questions designed to clarify responses to approved collections of information.

### **Information collection**

The obtaining or solicitation of information by an agency from 10 or more persons (see glossary definition of “10 or more persons”) by means of identical questions, whether this collection of information is mandatory, voluntary, or required to obtain a benefit. For purposes of this definition, "obtaining or soliciting information" includes any requirement or voluntary request for persons to obtain, maintain, retain, report, or disclose information to an agency, third parties, or the public; develop procedures and software; make evaluations to produce required reports; perform audits; or to post, notify, label, or similarly disclose information.

Collections of information do not include questions posed to other agencies, instrumentalities, or employees of the United States in their official capacities, unless the results are to be used for general statistical purposes. General purpose statistics are those collected chiefly for public and general Government uses, without primary reference to policy or program operations of the agency collecting the information.

### **Information collection request**

The method by which an agency communicates the specifications for a collection of information to potential respondents. An information collection request may be made through regulations, policy statements, orders, regulatory guides, bulletins, circulars, generic letters, standard technical specifications, branch technical positions, standard review plans, telephone surveys or requests, forms, oral communications, and other modes of communications.

### **Office of Information and Regulatory Affairs**

The office within the Office of Management and Budget that reviews Federal regulations and oversees policies related to the Paperwork Reduction Act, privacy, information quality, and statistical programs.

**Person**

An individual, partnership, association, corporation (including operations of Government-owned, contractor-operated facilities), business trust, legal representative, organized group of individuals, or a State, territory, or local government or branch thereof. A current employee of the Federal Government falls within this definition only for the purposes of collections of information outside the scope of his or her employment.

**Practical utility**

The usefulness of information to an agency, taking into account its accuracy, adequacy, and reliability, and the agency's ability to process the information in a useful and timely fashion. Actual timely use must be demonstrated.

**Programmatic change**

A change in burden attributable to modified, new, or revised information collection requirements.

**Record**

Data maintained and/or retained, including evaluations, reports, procedures, instructions, lists, plans, schedules, or programs.

**Recordkeeper**

Any entity (e.g., licensee, applicant, Agreement State) that NRC requests or mandates to keep records as defined under "Recordkeeping requirement." If a third party must keep records (e.g., maintain exposure reports) or provide reports (e.g., provide a certification to the licensee), he is also considered to be a recordkeeper.

**Recordkeeping requirement**

A requirement imposed by an agency on persons to document activities and keep records of that documentation or generate and maintain specific information that may or may not be submitted to the agency that imposes the requirement.

Recordkeeping requirements may be implied as in the case of surveys or tests for which records should be kept or for reports where analyses must be conducted and maintained to support conclusions submitted in a report.

**Regulatory Information Services Center (RISC)**

A Center within the General Services Administration (GSA) that facilitates the development of, and access to, information about federal regulatory and deregulatory activities.

**Reporting requirement**

A requirement imposed by an agency on a person or organization to provide specified information to the agency. Reports may be required at regularly prescribed intervals, such as monthly or annually, or be prepared on each occurrence, recurrence, or non-occurrence of an event or situation of certain prescribed characteristics. Reporting requirements may implicitly or explicitly include related recordkeeping requirements.

**Respondent**

Each entity subject to the NRC information collection requirements or requests, whether they are recordkeeping, reporting, or third-party information collections. If a single entity, such as an industry organization, gathers information from multiple entities on behalf of the NRC, the agency must consider all of the entities to be respondents.

**Response**

OMB defines responses as the number of submittals made to the NRC or an Agreement State, plus the number of recordkeepers. Total responses should reflect responses (submittals), plus recordkeepers.

**ROCIS**

Regulatory Information Service Center (RISC) and Office of Information and Regulatory Affairs (OIRA) Consolidated Information System (ROCIS) enables agencies to electronically submit regulations to OMB for review and comment. ROCIS assigns each submission a unique OMB tracking number and tracks the review through the OIRA review and Agency notification process. OIRA review information is maintained in the ROCIS database. ROCIS provides a listing of all pending and recently approved regulations for internal OMB use and to the public on the ROCIS public Web site, <http://www.reginfo.gov>.

RISC of the General Services Administration (GSA) operates the ROCIS information system for OIRA. The system provides agencies with a uniform reporting of data on regulatory and deregulatory actions under development throughout the Federal Government. The ROCIS public Web site, <http://www.reginfo.gov>, makes available Regulatory Plans and Agendas dating back to 1981.

**Sponsor**

The Federal agency that collects the information, causes another organization or person to collect the information, contracts with a person to collect the information, or requires a person to provide information to another person. Collections of information undertaken by a recipient of a Federal grant or contract are considered to be sponsored by an agency only if—

- The recipient of a grant is collecting information at the specific request of an agency, or

- The terms and conditions of the grant require that an agency specifically approve the collection of information or the collection procedures.

### **Supporting Statement**

A document that for each new, modified, discontinued, or renewal information collection identifies each information collection and addresses the need, use, and burden. Guidance, templates, and samples are available on the information collections page of the OCIO internal Web site at <http://www.internal.nrc.gov/ois/divisions/irsd/info-collection/>.

### **Ten or more persons**

The number of persons to whom an information collection request is addressed by an agency within any 12-month period, including any independent entities to which the initial addressees may reasonably be expected to transmit the request during that period. This category includes independent State or local entities and separately incorporated subsidiaries or affiliates but not employees of the respondent within the scope of their employment or contractors engaged for the purpose of complying with the information collection request. OMB has deemed that—

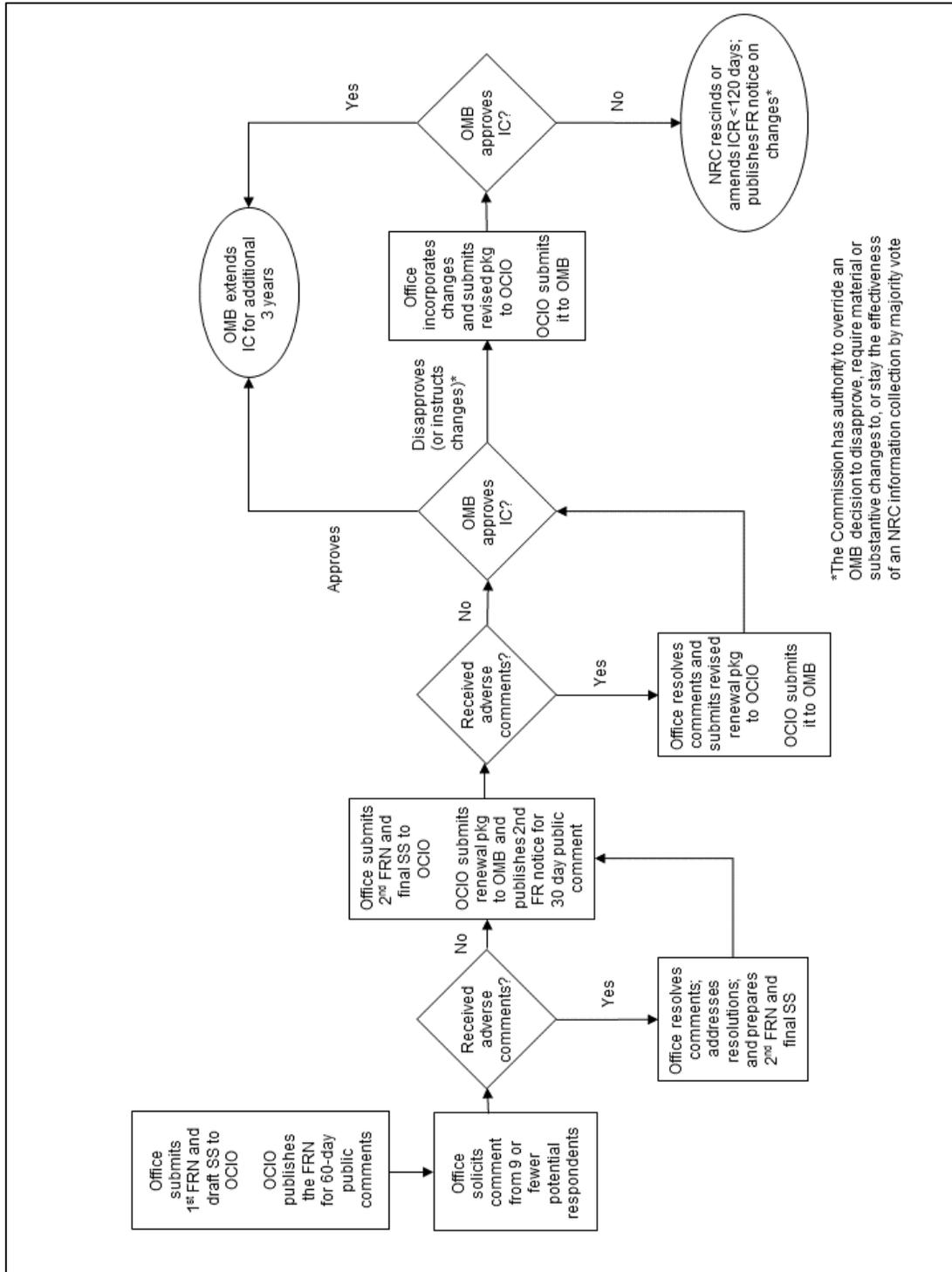
- Any recordkeeping or reporting requirement contained in a rule of general applicability involves 10 or more persons.
- In addition, OMB presumes that any information collection request addressed to all or a substantial majority of an industry involves 10 or more persons.

### **Third-party collections**

Any voluntary or mandatory requirement for a person to notify, disclose, or provide information to other persons, third persons, or the public, or to require other persons to maintain records. Third-party disclosures include labeling, self-certification, public recordkeeping, conveying information between third parties (e.g., requiring licensees to furnish dose data to their employees), and directly conveying information to State or local governments. Any requirement for licensees or individuals to report to State or local governments or for a State to maintain information for Federal inspection is considered a third-party collection. The only exception to the definition of "third-party collections" is any request or directive for a person to provide a label or otherwise disclose information completely supplied by the agency (e.g., posting of NRC Form 3, "Notice to Employees").

EXHIBITS

EXHIBIT 1 OMB Approval Process for Information Collection (IC) Renewals

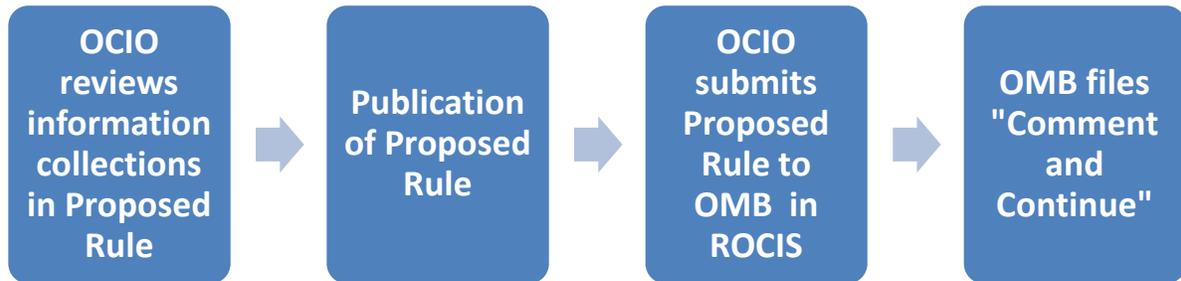


**EXHIBIT 2 Schedule and Process for Information Collection Renewals and New Collections**

| <b>Renewal Schedule (by month)</b>    |   |   |   |   |   |   |  |   |  |                   |    |
|---------------------------------------|---|---|---|---|---|---|--|---|--|-------------------|----|
| 1                                     | 2 | 3 | 4   | 5 | 6   | 7 | 8                                      | 9   | 10   | 11                | 12 |
| Program office works on draft package |   |   | OCIO reviews draft package and publishes 60-day FRN |   | 60-day public comment period<br>Responsible office solicits input from 9 or fewer potential respondents |   | Program office completes final package | OCIO reviews final package and publishes 30-day FRN | 30-day public comment period and submission to OMB | 60-day OMB review |    |

**EXHIBIT 3 Flowchart of the Typical Process for Obtaining an OMB Clearance for a Rule**

**PROPOSED RULE:**



**FINAL RULE:**

