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## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2024-0094]**

### **Information Collection: Physical Protection of Plants and Materials**

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of submission to the Office of Management and Budget; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, “Physical Protection of Plants and Materials.”

**DATES:** Submit comments by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting “Currently under Review - Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Kristen Benney, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6355; email: [Infocollects.Resource@nrc.gov](mailto:Infocollects.Resource@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Obtaining Information and Submitting Comments**

###### **A. Obtaining Information**

Please refer to Docket ID **NRC-2024-0094** when contacting the NRC about the

availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2024-0094**.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The supporting statement and burden spreadsheet are available in ADAMS under Accession Nos. ML25069A657 and ML25069A669, respectively.

- **NRC's PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

- **NRC's Clearance Officer:** A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Acting Clearance Officer, Kristen Benney, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6355; email: [Infocollects.Resource@nrc.gov](mailto:Infocollects.Resource@nrc.gov).

## B. Submitting Comments

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting "Currently under Review - Open for Public Comments" or by using the search function.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

## **II. Background**

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, "Physical Protection of Plants and Materials." The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a *Federal Register* notice with a 60-day comment period on this information collection on December 6, 2024, 89 FR 97078.

1. *The title of the information collection:* Part 73 of title 10 of the *Code of Federal Regulations* (10 CFR), "Physical Protection of Plants and Materials."
2. *OMB approval number:* 3150-0002.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* Not applicable.
5. *How often the collection is required or requested:* Once for the initial submittal of Cyber Security Plans, Physical Security Plans, Safeguards Contingency Plans, and Security Training and Qualification Plans and then on occasion when changes are

made. Required reports are submitted and evaluated as events occur.

6. *Who will be required or asked to respond:* Nuclear power reactor licensees licensed under 10 CFR part 50, "Domestic licensing of production and utilization facilities" or 10 CFR part 52, "Licenses, certifications, and approvals for nuclear power plants," who possess, use, import, export, transport, or deliver to a carrier for transport, special nuclear material (SNM); actively decommissioning reactor licensees; Category I, Category II, and Category III fuel facilities; non-power reactors (research and test reactors); and other entities who mark and handle Safeguards Information.

7. *The estimated number of annual responses:* 135,164.

8. *The estimated number of annual respondents:* 205.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 482,088 (25,725 hours reporting + 428,784 hours recordkeeping + 23,579 hours third-party disclosure).

10. *Abstract:* The NRC regulations in 10 CFR part 73, "Physical Protection of Plants and Materials," prescribe requirements to establish and maintain a physical protection system and security organization with capabilities for protection of (1) SNM at fixed sites, (2) SNM in transit, and (3) plants in which SNM is used. Reporting and recordkeeping requirements contained in 10 CFR part 73 is necessary to ensure an adequate level of protection is provided for nuclear facilities and nuclear material, such as: development and maintenance of security documents, including a physical security plan, a training and qualification plan, a safeguards contingency plan, a cyber security plan, and security implementing procedures; notifications to the NRC regarding safeguards and cyber security events; notifications to State Governors and Tribes regarding shipments of irradiated reactor fuel; and requirements for conducting criminal history records checks of individuals granted unescorted access to a nuclear power facility, a non-power reactor, or access to Safeguards Information. The objective is to ensure activities involving SNM provide for the common defense and security, and do not constitute an unreasonable risk to public health and safety. The information in the

reports and records submitted by licensees is used by the NRC staff to verify that possession and use of SNM complies with applicable regulatory requirements and the terms of their respective license and ensure protection of public health and safety and the environment.

Dated: April 23, 2025.

For the Nuclear Regulatory Commission.

**Kristen Benney,**

*Acting NRC Clearance Officer,*

*Office of the Chief Information Officer.*

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