19 April 2019

Kevin E. Martilla
Radiation Safety Officer
Brooke Army Medical Center

Office of the Chief Information Officer (Attn: David Cullison)
Mail Stop T-2 F43
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Comments on Nuclear Regulatory Commission Information Collection: NRC Form 313, ‘‘Application for Materials License’’ and NRC Forms 313A (RSO), 313A (AMP), 313A (ANP), 313A (AUD), 313A (AUT), and 313A (AUS).

Reference: Docket ID NRC-2019-0036

Dear Mr. Cullison:

Answers to your questions in Section III. Specific Requests for Comments of the subject document are provided below.

1. Is the proposed collection of information necessary for the NRC to properly perform its functions?

Yes. This proposed collection of information is foundational to the NRC’s responsibility to license and regulate nuclear facilities and material. Persons use the NRC Forms 313 and 313A to request the issuance, renewal, or amendment of an NRC license to possess, use, or distribute licensed material.

Does the information have practical utility?

Yes. The information required by these forms is the minimum necessary for the NRC to evaluate and approve such requests. The information collected also documents the licensee’s commitments, qualifications, and methods which are then subject to NRC inspection and enforcement activities.

2. Is the estimate of the burden of the information collection accurate?

The annual total number of licensing actions used to estimate the burden of the information collection, 1049, is reasonably justified.

More detailed information is needed to evaluate the average industry labor burden per licensing action (4.3 hours per licensing action) used to estimate the overall burden of the information collection. Specifically, the number and assumed labor hours required to prepare the different types of licensing actions (new license applications vs. license

renewals vs. license amendments, broad scope vs. limited scope licenses) could be presented to more directly answer this question.

The $275 hourly rate may be appropriate when estimating the burden to NRC staff, however, this value likely overestimates the financial burden to industry. According to the U.S. Department of Labor, Bureau of Labor Statistics news release, "Employer Costs for Employee Compensation – December 2018" (USDL-19-0449), the average fully burdened hourly rate for the management/professional occupational group was $60.70 for state/government workers and $59.57 for private industry workers.

In our experience managing a Type A broad scope license for a major medical center, we typically submit 1 or 2 amendment requests per year. We estimate that each amendment requests involves approximately 4 labor hours to complete and submit (electronically). We estimate that an application for a new Type A broad scope license similar to our own would require approximately 150 mostly professional or management labor hours, while renewal of our licenses has typically involved 75, again, mostly professional and management labor hours. These new license applications and renewal are accomplished according providing the minimum necessary information prescribed in NUREG-1556, Volume 11. The estimated average labor burden is 8.7 hours per licensing action (270 hours, 31 licensing actions) for the first 15 years, and 6.3 hours per licensing action (195 hours, 31 licensing actions) for each subsequent 15 year renewal period.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

The newly published and revised NRC Forms 313A are self-explanatory, well designed forms that minimize the time required by the licensee to document the necessary information to be included and added to an NRC license.

We have found it helpful to develop identically styled 313A equivalent forms for our physicians requesting our Radiation Safety Committee approval as authorized users (AUs) on our Type A broad scope license for emerging technologies under 35.1000 (e.g. Low Activity Radioactive Seeds Used for Localization of Non-Palpable Lesions and Lymph Nodes). Where the training and experience requirements do not match an existing NRC form 313A, including such forms in emerging technologies licensing guidance would reduce the burden for associated licensing action requests by limited scope licensees and NRC staff.

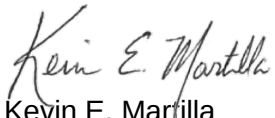
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

An on-line form based system for licensees to enter and submit licensing action requests would naturally benefit both the licensees and NRC staff. The on-line application forms linked to pick-lists and help screens can be more easily be kept up-to-date with the latest licensing guidance issued by the NRC. Such a system could minimize uncertainty and increase standardization of licensing action requests, facilitating complete and actionable submittals, as well as NRC's corresponding review and approval.

The system would have to accommodate the required certification of the application by a representative of the corporation or legal entity that possess the necessary authority to make binding commitments and to sign official documents on behalf of the applicant. This may a barrier to use of such a system.

The POC for this letter is the undersigned at 3551 Roger Brooke Drive, JBSA Fort Sam Houston, TX 78234-4504, telephone 210-539-0371, or kevin.e.martilla.civ@mail.mil.

Sincerely,



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