

October 2006

Supporting Statement
Boll Weevil; Quarantine and Regulations
OMB No. 0579-XXXX
Docket No. 06-002-1 (Previously Docket No. 01-123-1)

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 - 7772), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States.

APHIS is proposing to establish domestic Boll weevil regulations that would restrict the interstate movement of regulated articles from regulated areas into or through commercial cotton-producing areas. The proposed regulations would help prevent the artificial spread of boll weevil into noninfested areas of the United States, and the reinfestation of areas from which the boll weevil has been eradicated.

APHIS is proposing to amend the domestic quarantine notices in 7 CFR § 301 by adding a new subpart, "Boll Weevil" (§§ 301.53 through 301.53.9, referred to below as the regulations). The regulations would provide for the designation of regulated areas, both generally infested and suppressive areas, within cotton-producing States because of the boll weevil. The regulations would restrict the interstate movement of regulated articles from generally infested areas into or through suppressive or noninfested areas. They would also restrict the movement of such articles from suppressive areas into or through noninfested areas.

The boll weevil is a migratory pest which makes it necessary for States to cooperate within regions to ensure the success of control programs.

Implementing this regulation requires APHIS to engage in certain information collection activities, which in turn necessitates the use of forms. APHIS is asking OMB to approve its use of this information collection for 3 years in connection with its efforts to prevent the artificial spread of boll weevil into noninfested areas of the United States.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Compliance Agreement (PPQ 519)

Compliance agreements are provided for the convenience of persons who are involved in the growing, handling, or moving of regulated articles from quarantined areas. A person may enter into a compliance agreement when an inspector has determined that the person requesting the compliance agreement is knowledgeable regarding the requirements of the regulations and the person has agreed to comply with the requirements of the regulations and the provisions of the compliance agreement.

Limited Permit (PPQ 530)

This document is issued by an officer, or by a person operating under a compliance agreement, stating that a regulated article presents a possible pest risk and can therefore be moved interstate only under certain restrictions (such as movement to a specified destination for specific processing and handling). The officer or the mover attaches the limited permit to the regulated article itself, to the container carrying the regulated article, or the waybill accompanying the shipment. The mover must furnish the limited permit to the consignee at the shipment's destination.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Compliance Agreements (PPQ Form 519) is automated and posted at:
www.aphis.usda.gov/library/forms

Limited Permits (PPQ Form 530) will not be automated at this time. These forms are accountable (they have individual serial numbers) and are mostly used by officers who do inspections from their trucks and do not have access to a computer.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information APHIS collects is exclusive to USDA's mission to prevent the introduction of plant pests and plant disease into the United States. The information is not available from any other source.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information APHIS collects is the minimum needed to protect the United States from the spread of plant diseases and plant pests such as boll weevil.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Failing to collect this information could cause a severe economic loss to cotton growers, cotton gin operators, and custom harvesters.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

This information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.5.

8. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, soliciting comments on the information collection prior to submission to OMB.

The following individuals were consulted during 2006:

Bill Dickerson
North Carolina Department of Agriculture
P.O. Box 27647
Raleigh, NC 27611
(919) 733-3933

Mike Evans
Georgia Department of Agriculture
19 Martin Luther King Dr.
Rm. 243
Atlanta, GA 30334
(404) 651-9486

Shashank Nilakhe
Texas Department of Agriculture
P.O. Box 12847, Capital Station
Austin, TX 78711
(512) 463-1145

On Tuesday, October 31, 2006, pages 63707-63717, APHIS published a proposed rule, Docket Number 06-002-1, which describes information gathering requirements and also provides a 60-day comment period. During this time, interested members of the public have the opportunity

to provide APHIS with their input concerning the usefulness, legitimacy, and merit of the information collection activities being proposing. A copy of the Federal Register notice is attached.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

This information collection activity involves no payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in stature, regulation, or agency policy.

There is no additional assurance of confidentiality provided with this information collection. However, the confidentiality of information is protected under 5 U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and others that are considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection activity asks no questions of a personal or sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

See APHIS Form 71 for hour burden estimates.

. Provide estimates of annualized cost to respondents for the burden hours for collections of information, identifying and using appropriate wage rate categories.

288 hours X \$20.00 estimated hourly wage = \$5,760.

13. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in items 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.

There is zero annual cost burden associated with capital and start-up, operation and maintenance, and purchase of services in connection with this program.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The estimated cost to the Federal Government is \$21,181.41.
(See APHIS Form 79 attached.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This is a new program. APHIS is proposing to establish domestic boll weevil regulations that would restrict the interstate movement of regulated articles from regulated areas into or through commercial cotton-producing areas. The proposed regulations would help prevent the artificial spread of boll weevil into noninfested areas of the United States and the reinfestation of areas from which the boll weevil has been eradicated.

Since the Federal Register publication on October 31, 2006, the program realized they overestimated on a few of the burden figures. There is now a decrease of 737 hours due to the estimate of time needed to complete one form (PPQ 530) and the erroneous reporting of one form (PPQ 554) that is used solely by the Government. Hours posted in the Federal Register were 1,025, and APHIS should have reported 288 hours.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to tabulate or publish the information being collected.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

If forms were to be discarded because of an outdated OMB expiration date, but otherwise usable, higher printing costs would be incurred by the Federal Government. Therefore, APHIS is seeking approval to not display the OMB expiration date on its forms.

18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act."

APHIS is able to certify compliance with all the provisions in the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.