

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number 1028-0059

Comprehensive Test Ban Treaty

Expiration Date: April 30, 2007—USGS Form 9-4040-A

Terms of Clearance: None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-I is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

According to Part 3—Confidence-Building Measures in the Comprehensive Test Ban Treaty (CTBT) of which the United States became a signatory country on September 24, 1996 (see Enclosure 1), each State will provide the United Nations CTBT Technical Secretariat with geographic locations of sites where chemical explosions of 300 metric tons or more of TNT-equivalent have taken place on an annual basis. Government policy is to abide by the provisions of the CTBT although it has not been ratified by the Senate nor entered into force not having been ratified by all 44 States listed in its Annex 2. Recent contacts with the Department of State has confirmed that this policy remains in effect.

Compliance with the Treaty will be monitored by several technologies, including a global network of seismic recording stations which can detect and locate large mining blasts. In order to reduce the possibility that a large mining blast in this country might become the target of suspicion, the United States supports provisions of the Treaty that call for voluntary exchange of information on mining blasts over 300 tons TNT-equivalent. Since U.S. policy is to act as if the Treaty is in effect, the USGS has negotiated a Memorandum of Agreement (MOA) in 1997 with the U.S. Department of Defense (DOD) to provide the DOD with information on chemical

explosions in the commercial sector (see Enclosure 2). According to the terms of the MOA, the Agreement remains in-force since the United States remains a signatory to the CTBT. The DOD is the sole client for this information.

The U.S. Bureau of Mines (USBM), which had policy responsibility for the Nation's mineral resources and the industries based upon them, was responsible for the collection, monitoring, and publication of explosives information (U.S. Code Title 30, Section 3; see Enclosure 3). These responsibilities were transferred to the U.S. Geological Survey (USGS) in 1996. Collection of nonfuel minerals information is authorized by National Materials and Minerals Policy, Research and Development Act of 1980 (Public Law 96-479) and the Defense Production Act.

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. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

This information, which includes identifying the geographic locations of sites where such explosions occur, the nature of the activities at those sites, and the frequency of such explosions, is used by the Technical Secretariat for the CTBT to assure other nations that the explosions detected by the Global Seismic Network are, in fact, mining-related and not nuclear explosions.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques 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 [and specifically how this collection meets GPEA requirements].

On-line electronic forms are currently available to authenticated users asked to respond who provide a valid user id and password. In addition to producing an electronic version of the paper form, the conversion process encompassed mappings of fields to the mainframe Automated Minerals Information System (AMIS) database. Cross-checks on data were automated, replacing manual processes. The electronic forms conversion effort exceeds the Government Paperwork Elimination Act (GPEA) requirements by establishing intelligent links between the input on the electronic form and the database rather than simply transforming the physical form to an electronic version of the same.

All respondents who receive a Comprehensive Test Ban Treaty canvass also receive at least one other base canvass. An AMIS algorithm determines which base canvass qualifies respondents to receive a Comprehensive Test Ban Treaty form. The batch process associated with this algorithm automatically registers such respondents who currently respond via e-forms for the qualifying base canvass. The same batch process issues an e-mailed reminder notice to these

respondents.

Paper-based forms will remain an option for submission of responses because not all industry respondents are able to or wish to transmit their data to the USGS by electronic means. 9.2% of the universe currently responds electronically.

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

These data are not collected by any other Federal or State agency or trade association. The Mine Safety and Health Administration, the Office of Surface Mining, and the Energy Information Agency have been contacted to ensure that no duplication of effort exists. The Institute of Makers of Explosives, a trade association, also does not collect the required information. The USGS Earthquake Hazards Team does not collect information on mining-related blasts.

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

The canvass form (see Enclosure 4) is designed to minimize the burden to all respondents of which about 20% are small businesses or other small entities. Because only essential data are requested and in a format common to the reporting industry, the burden is kept to the minimum for large and small businesses.

6. Describe the consequence 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.

The CTBT requires that this requested information be made available as soon as possible after the entry into force of the Treaty and that this information be updated annually. Under provisions of the CTBT, a foreign party to the Treaty may request information for clarification about a seismic event located in the United States. Such information may also be sought in response to a request for an on-site inspection in the United States. If the treaty is ratified, a breach of this Treaty may occur if the United States is unable to readily supply the requested information. It is hoped that by providing this information in advance, large mining explosions will not be misidentified as suspicious.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

These data are necessary to meet the provisions of the CTBT. Under the terms of the disclosure agreement, companies can and usually do specify that the data they supply be shared only in aggregated form. These terms ensure that the USGS will continue to receive proprietary data in confidence.

The canvass form is designed to ensure that respondents are not required to maintain or provide data in a format other than that in which the data are customarily maintained. The respondents are routinely asked to comment on the design of the form and to make recommendations that help maintain consistency with industry's methods of accounting.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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 format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years — even if the collection

of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A copy of the notice that was published in the Federal Register, vol. 71, no. 167, p. 51209, August 29, 2006 (see Enclosure 5), is attached. No public comments were received in response to the notice.

This canvass has been designed to meet the needs of the CTBT. Part 3 of the Treaty specifies the type and frequency of data to be collected. Canvass forms are designed to collect only the required data, thus minimizing the individual response time.

Mineral commodity specialists contact and are routinely contacted by Federal and State agencies, members of Congress, trade associations, the financial community, private companies, universities, and private citizens that request general and specific data and information.

Typically, persons outside the USGS submit and the USGS responds to several thousand e-mail and telephone inquiries each month. By such discussions, views are exchanged on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, reporting format, and on the data elements to be recorded, disclosed, or reported. These views help the USGS to continuously improve its data and publications.

Within the last 3-year OMB approval period for this Collection, no direct changes to the collection instrument were made. Examples of industry contacts concerning reporting, interaction between mineral commodity specialists and respondents, and persons that were consulted on the average burden estimates and other aspects of this Information Collection include the following timely responses to e-mail and telephone inquiries received between 2004 and 2007:

- Robert Edge, Sales and Operations Controller, Hanson America, Tucker, GA, Subject: Average burden estimate, Date of contact: February 2007
- Paul Guttman, Vice President, U.S. Silica, Berkeley Springs, WV, Subject: Average burden estimate, Date of contact: February 2007
- Van Medlock, Environmental Engineer, Rogers Group, Nashville, TN, Subject: Average burden estimate, Date of contact: February 2007
- Mary Rhoades, Secretary, Konen Rock Products, Milton-Freewater, OR, Subject: Average burden estimate, Date of contact: February 2007

9. Explain any decision to provide any payment or gift to respondents, other than remuneration

of contractors or grantees.

No payments or gifts are made to respondents.

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

No assurance of confidentiality is provided to respondents.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly 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.

Sensitive data are not sought.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- * 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.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Variations can be expected in the reporting burden for completion of this form because of the differences in operation size and accounting systems. The data sought are those routinely maintained in the course of business. For some companies with more than one plant, the submission takes the form of a consolidated report covering all company operations. This greatly reduces the reporting burden.

Public reporting burden for this collection of information includes the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Approximately 3,000 respondents report data annually. Completion time averages 15 minutes per form. Requested are 750 total annual hours burden (3,000 responses x 0.25 hour average burden per form) for reporting and recordkeeping.

The annualized cost to respondents for the hour burden for this collection of information is estimated to be \$22,500 on the basis of an average labor cost of \$30 per hour and 750 total annual hours requested.

13. Provide an estimate of the total annual [non-hour] 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 estimate 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. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
 - * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
 - * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and

usual business or private practices.

This supporting statement covers a voluntary canvass form pertaining to a set of industries that are widely diverse in size and mode of operation. The cost and time required to make a detailed canvass-by-canvass estimate for this section would be very high, and, in light of the following factors, would not be worthwhile. A negligible non-hour cost burden exists.

- a) Respondents to this canvass are those that have responded to long-established USGS canvasses. Because the requested data are normally maintained in the course of routine operations, no respondents are believed to have purchased equipment or services specifically to answer this canvass.
- b) The data requested are of the sort kept by companies for their own purposes; the USGS does not ask for data that would not normally be at hand. Providing selected data to the USGS is incidental to business operations.
- c) Only the largest companies might need to purchase office equipment or hire services specifically for the purpose of answering Federal Government questionnaires. In those cases, the demand for data records needed by the USGS would be dwarfed by the volume of records needed by other Government agencies; for example, the EPA, the Internal Revenue Service, and the DOL.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Annualized cost to the Federal Government is estimated at \$36,071 based on estimated costs for the following expenses:

- Printing of canvass forms
- Mailing lists compilation and maintenance
- Mailing operation
- Editing, coding, tabulation
- ADP processing
- Electronic publication of results

Under the DOD MOA, the DOD will provide funding to the USGS to support the reporting of chemical explosions.

15. Explain the reasons for any program changes or adjustments.

Not applicable. No program changes or adjustments are reported.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The AMIS mainframe program and off-the-shelf software packages are used to compile and tabulate the data.

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.

Not applicable.

18. Explain each exception to the certification statement, "Certification for Paperwork Reduction Act Submissions."

Not applicable.