

**Supporting Statements for Reporting and Recordkeeping
Requirements for 30 CFR Part 784:
Underground Mining Permit Applications -
Minimum Requirements for Reclamation and Operation Plans**

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.*
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.]*
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.].*

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.
5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.
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.
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 secrets, 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.
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.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.
10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.
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.
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.

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.

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.*
15. *Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.*
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.*
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.*
18. *Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.*

B. Collections of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results

**SUPPORTING STATEMENT FOR REPORTING
REQUIREMENTS OF 30 CFR PART 784**

Introduction

This information collection clearance package is being submitted by the Office of Surface Mining Reclamation and Enforcement (OSM) to request approval of a 65,295 hour decrease due to a reduction in underground permit applications and re-estimates in respondent burden.

The regulations at 30 CFR 784 - Requirements for Underground Mining Permit Applications--Minimum Requirements for Reclamation and Operation Plan, govern information on environmental resources required in underground mining permit applications. The existing information collection requirements for 30 CFR 784 were previously approved by OMB and assigned clearance number 1029-0039.

The tables below summarize the hours for which clearance is requested for Part 784, the total burden hours for each section, the changes requested to the approved collection burden, and costs associated with each section.

Each section will be discussed separately; however, many sections contain identical responses. Those are noted and are found on pages 10 through 12 of this supporting statement.

SUMMARY OF BURDEN FOR PART 30 CFR 784

SECTION	NUMBER OF APPLICANT RESPONSES	NUMBER OF SRA RESPONSES	HOURS PER APPLICANT	HOURS PER SRA	TOTAL HOURS	HOURS IN ICB	DIFFERENCE
784.11	50	49	4	3	347	1,344	-997
784.12	25	24	6	2	198	736	-538
784.13	54	53	53	4.5	3,101	6,188	-3,087
784.14	63	62	40	8.75	3,063	12,000	-8,937
784.15	57	56	6	1	398	1,800	-1,402
784.16	63	62	6	5	814	3,760	-2,946
784.17	22	21	4	.5	99	868	-769
784.18	28	28	8	2	278	612	-334
784.19	47	46	8	4.5	583	5,880	-5,297
784.20	63	62	12	4	1,004	8,640	-7,636
784.21	38	37	4	2.5	245	3,168	-2,923
784.22	47	46	24	6	1,404	22,980	-21,576
784.23	60	59	40	7	2,954	5,016	-2,062
784.24	57	56	20	4.5	1,392	2,448	-1,056
784.25	35	34	6	4	346	2,420	-2,074
784.29	16	15	16	5	331	540	-209
784.30	63	62	8	2	628	4,080	-3,452
TOTAL					17,185	82,480	-65,295

SUMMARY OF COSTS FOR PART 784

SECTION	TOTAL RESPONDENT NON-WAGE COST	TOTAL FEDERAL WAGE COSTS
784.11	\$ 5,000	\$ 1,755
784.12	\$ 2,500	\$ 450
784.13	\$ 27,000	\$ 1,260
784.14	\$ 157,500	\$ 2,520
784.15	\$ 1,140	\$ 180
784.16	\$ 10,584	\$ 2,070
784.17	\$ 12,100	\$ 383
784.18	\$ 1,400	\$ 495
784.19	\$ 23,500	\$ 2,070
784.20	\$ 31,500	\$ 1,980
784.21	\$ 7,600	\$ 1,935
784.22	\$ 235,000	\$ 2,610
784.23	\$ 6,300	\$ 4,050
784.24	\$ 2,850	\$ 1,890
784.25	\$ 3,500	\$ 2,070
784.29	\$ 800	\$ 1,170
784.30	\$ 6,300	\$ 1,890
TOTAL	\$534,574	\$28,778

Identical Responses to Statements

3. At the discretion of the regulatory authority, persons may submit responses electronically to the extent that both parties have the requisite technical capability. Further, permit applicants have been increasingly using electronic means to prepare their permit applications using word processing, AutoCAD and GPS. Several states, such as Kentucky and Virginia, receive 90% of their permit applications electronically. Other states are not yet prepared to receive electronically due to other priorities or limited size of their program. However, due to the size of the state regulatory programs which do promote electronic submissions, OSM estimates that 33% of all permits submitted nationally are through electronic means. OSM hopes that this figure will improve over time as more states and permit applicants realize the time and cost savings associated with electronic submissions.

4. The information requested under 30 CFR 784 is collected infrequently (generally only once, at the time that a person applies for a permit), duplication is minimal to nonexistent. Persons may cross-reference relevant materials previously submitted in a modification request.

5. There are no special provisions for small organizations. However, small operators may be eligible for financial assistance under the Small Operators Assistance Program (SOAP).

6. Since the information requested under 30 CFR 784 is collected only once for each site, a reduction in the frequency of collection is not possible.

7. No collection of information under 30 CFR 784 is inconsistent with the guidelines at 5 CFR 1320.5(d)(2) as summarized in the instructions for this item of the supporting statement.

8. In January 2007, OSM contacted state regulatory authorities and engineering firms who prepare mining permit applications to determine the burden placed on respondents by 30 CFR 784 of the Federal regulations. Information provided by these companies and states were detailed and intensive. The following individuals were contacted by OSM.

Mr. Jim Pierce, Lead Permitting Engineer
West Virginia, Division of Mining and Reclamation

1101 George Kostas Drive
Logan, WV 25601
Telephone: 304-792-7250 - Ext. 3352

Douglas K. Siddell
Supervisor, Technical Group
710 Locust St.
2nd Floor
Knoxville, TN 37902
Telephone: (865) 545-4103 ext. 173
Fax: (865) 545-4111

Phillip R. Boggs
Mark V Mining and Engineering, Inc.
353 North Cullom Street
Clinton, Tennessee 37716
Telephone: (865) 457-1664

Mary Ann Wright, Associate Director, Mining
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
Telephone: (801) 538-5306

The individuals contacted did not identify any concerns regarding the availability of data, frequency of collection, clarity of instructions and record keeping of the required information to be collected. However, Ms. Wright declined to participate in the request for burden estimates imposed by the collection for Part 784. She stated that, "given our current workload and related budgetary/staffing constraints, this has been given a lower priority and we wouldn't be able to respond as soon as he needs the information." A survey of questions was supplied January 17th and a requested return date of the second week in March.

On February 27, 2007, OSM published in the Federal Register (72 FR 8788) a notice requesting comments from the public regarding the need for the collection of information, the accuracy of the burden estimate, ways to enhance the information collection, and ways to minimize the burden on respondents. This notice gave the public 60 days in which to comment. However, no comments were received.

9. Not applicable. OSM and state regulatory authorities provide no payments or gifts to respondents except for grants to states authorized by law.

10. Section 508(a)(12) and 508(b) and their implementing regulations require that OSM and state regulatory authorities keep certain types of information confidential when requested by the respondent.

11. Not applicable. Sensitive questions are not asked.

15. See individual responses for each rule section for explanation for the burden hour adjustments. For Annual Costs Burden, note that there was reduction in respondents, from 80 responses to 63.

16. Not applicable. OSM has no plans to publish the information collected.

17. Not applicable. OSM is not seeking a waiver from the requirement to display the expiration date of the OMB approval of the information collected.

18. Not applicable. There are no exceptions to the certification statement in Item 19 of OMB Form 83-I.

B. Collections of Information Employing Statistical Methods

Statistical methods are not appropriate for collection of the information required under 30 CFR 784.

Supporting Statement for Reporting Requirements of
Section 784.11

A. Justification

1. Section 784.11 is authorized by sections 507(b)(7), 508(a) (5) and 516(d) of the Surface Mining Control and Reclamation Act (the Act), as amended.

Section 507(b)(7) requires a description of the type and method of coal mining operation that exists or is proposed, the engineering techniques proposed or used, and the equipment used or proposed to be used in the mining operation.

Section 508(a)(5) requires submission of the engineering techniques to be used in mining and reclamation and a description of the major equipment to be used.

Section 516(d) requires the preparation of, among other things, permitting and reclamation plans that recognize the distinct difference between surface and underground mining.

2. The information required by this section aids the regulatory authority in determining whether the applicant can meet the performance standards of these regulations.

The information is necessary to enable the regulatory authority to gauge the cumulative impacts of the proposed operations on, for example, the hydrology and fish and wildlife of that area.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimated Burden to Respondents

Based on ongoing contacts with state agencies and permit applicants, there are approximately 63 new permit applications with 80% of the applicants submitting the information for section 784.11, or approximately 50 responses. Those identified in item 8 estimate that they require 4 hours to complete section 784.11.

Therefore, 50 respondents x 1 response (permit application) x 4 hours per response = approximately 200 hours.

In addition, state regulatory authorities must review 49 applications with this portion completed, requiring approximately 3 hours per application, or 3 x 49 applications = 147 hours.

Therefore, the total burden for all respondents is 200 hours for applicants + 147 hours for states = 347 total hours.

Using a pay rate of \$60 per hour, the annual labor cost for each permit applicant is 4 hours x \$60 per hour = \$240, and the total labor cost to all applicants is \$12,000. Further, at \$45 per hour, each state regulatory authority incurs \$135 per review, or \$6,615 for all states.

The total labor costs for all respondents is \$12,000 + \$6,615 = \$18,615.

13. Total Annual Cost Burden to Respondents:

a. Capital and Start-up Costs.

Non-labor cost information was provided by the engineering companies and includes permit application costs for items such as equipment, copying, travel to the mine site and other locations for data collection, newspaper publications, laboratory analysis, and postage. This cost is \$100, or \$5,000 for all respondents.

b. Operation, Maintenance and Services

Not applicable. Costs for this section are incurred prior to the commencement of mining.

14. Estimate of Cost to the Federal Government:

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the

requirements of 30 CFR 784.11 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 35 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,575 [35 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.11 where we are the regulatory authority. OSM estimates that approximately 4 hours will be required to review the information required for each permit application. Therefore, 4 hours x \$45 per hour x 1 application = \$180.

Therefore, the total cost to OSM is \$1,575 + \$180 = \$1,755.

15. There are currently 1,344 hours approved for this section. This collection request will decrease the burden by 997 hours due to a re-estimate of completion and review time, from 14 hours to 4 hours per respondent, and a decrease in the number of applicants, from 64 to 50. Therefore, the burden will change as follows:

1,344 hours currently approved
- 997 hours due to a burden re-estimate and reduction in use
347 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.12

A. Justification

1. Section 507(b)(13) of the Act, requires the permit applicant to provide a description of each existing structure proposed to be used in the mining or reclamation operation and a compliance plan for structures proposed to be modified or constructed for use in the operation.

2. This information will allow the regulatory authority to determine if the applicant can comply with the performance standards contained in Subchapter K of the regulations. If it were not collected, there would be no way to comply with the law.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimated Burden to Respondents

Based on contacts with state agencies and permit applicants, there are 63 respondents x 1 response (permit application) per respondent x 40% of the responses need to supply the information, or approximately 25. Each applicant requires approximately 6 hours to complete this portion of the application. Therefore, 6 hours x 25 responses = 150 total hours to respond.

In addition, state regulatory authorities will review 24 applications that include this information, requiring approximately 2 hours per application, or 2 hours x 24 applications = 48 hours.

Therefore, the total burden for all respondents is 150 hours for applicants + 48 for state review time = 198 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 6 hours x \$60 per hour = \$360, and the total labor cost to all applicants is \$9,000. Further, at \$45 per hour, each state regulatory authority requires \$90 per review, or \$2,160 for all states.

The total labor costs for all respondents is \$9,000 + \$2,160 = \$11,160.

13. Total Annual Cost Burden to Respondents.

a. Capital and Start-up Costs.

Non-labor cost information was provided by the engineering companies and include permit applications costs for items such as equipment, copying, travel to the mine site and other locations for data collection, newspaper publications, laboratory analyzes, and postage. This cost is \$100 per respondent, and the total costs for all 25 respondents would then be \$2,500.

b. Operation, Maintenance and Services

Not applicable. Costs for this section are incurred prior to the commencement of mining.

14. Estimate of Cost to the Federal Government:

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.12 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 6 hours. The annual cost to the Federal government for this oversight function is an estimated \$270 [6 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.12 where we are the regulatory authority. OSM estimates that approximately 4 hours will be required to review the information required for each permit application. Therefore, 4 hours x \$45 per hour x 1 application = \$180.

Therefore, the total cost to OSM is $\$270 + \$180 = \$450$.

15. There are currently 736 hours approved for this section. This collection request will reduce the burden estimate by 538 hours. This is a result of a reduction in the total number of respondents and a re-estimate in per respondent burden identified by the individuals contacted in item 8. Therefore, the burden will change as follows:

736 hours currently approved
- <u>538</u> hours due to a burden re-estimate and decrease in use
198 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.13

A. Justification

1. 30 CFR 784.13, in accordance with sections 507(b), 508(a), and 515(b) of the Act, requires that each application contain a plan detailing reclamation of the lands within the proposed permit area to be submitted by the permit applicant.

2. This information is required for the regulatory authority to determine if the applicant can comply with the performance standards contained in Subchapter K, the environmental protection standards of the regulatory program. If it were not collected, there would be no way to comply with the law.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimated Burden to Respondents

Based on OSM's annual evaluation reports and discussions with the industry representative identified in item 8 above, there are approximately 63 permit applications with 85% of the applicants submitting the information, with each respondent requiring 53 hours to complete section 784.13. Therefore, 63 respondents x 1 response (permit application) per respondent x 85% = 54 permit applications to be reviewed x 53 hours per response = approximately 2,862 total hours.

In addition, state regulatory authorities must review the 53 permit applications containing this information, requiring

approximately 4.5 hours per application, or 4.5 hours x 53 applications = 239 hours.

Therefore, the total burden for all respondents is 2,862 hours for applicants + 239 for state review time = 3,101 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 53 hours x \$60 per hour = \$3,180, and the total labor cost to all applicants is \$171,720. Further, at \$45 per hour, each state regulatory authority requires \$203 per review, or \$10,759 for all states.

The total labor costs for all respondents is \$171,720 + \$10,759 = \$182,479.

13. Total Annual Cost Burden to Respondents:

a. Capital and Start-up Costs.

Non-labor cost information was provided by the engineering companies and include permit application costs for items such as equipment, copying, travel to the mine site and other locations for data collection, newspaper publications, laboratory analyzes, and postage. This cost is \$500 per respondent, and the total costs for all respondents would then be 54 permit applicants x \$500 = \$27,000.

b. Operation, Maintenance and Services

Not applicable. Costs for this section are incurred prior to the commencement of mining.

14. Estimate of cost to the Federal government:

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.13 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 20 hours. The annual cost to the Federal government for this oversight function is an estimated \$900 [20 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.13 where we are the regulatory authority. OSM estimates that approximately 8 hours

will be required to review the information required for each permit application. Therefore, 8 hours x \$45 per hour x 1 applications = \$360.

Therefore, the total cost to the Federal government is \$900 + \$360 = \$1,260.

15. There are currently 6,188 hours approved for this section. This collection request will reduce the burden estimate by 3,087 hours. This is a result of a reduction in the total number of respondents and a re-estimate in per respondent burden identified by the individuals contacted in item 8. The burden will change as follows:

6,188 hours currently approved
- 3,087 hours due to a re-estimate of burden and change in use
3,101 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.14

A. Justification

1. Sections 507(b)(11) and (14), 508(a)(3), 516(b)(4), (9), and (12), 517(b)(2), and 717(b) of the Act, require the collection and analysis of hydrologic information by the applicant. This information is essential to the regulatory authority and is vital to an understanding of conditions as they exist prior to mining so that changes can be detected throughout the life of the operation. Collection of this information allows steps to be taken to minimize impacts and to plan for remedial and restorative measures.

2. Use of information or records required by each specific paragraph of the section is as follows:

Paragraph (a) -- This paragraph prescribes specific methodologies for collection and analysis of water samples. This information provides a basis for obtaining accurate and consistent data using standardized methodology to understand the particular characteristics of the mine site.

Paragraph (b) -- This paragraph requires surface- and ground-water information, which describe the hydrologic setting for the proposed mining operation. This information is used by the operator to design the mining operation and reclamation plans and to devise his surface- and ground-water monitoring programs required by paragraphs (h) and (i), below. In addition, the information will be used by the regulatory authority in its review of the permit application and in the assessment of cumulative hydrologic impacts. This type of information is essential in assuring that the mining operation will be designed and conducted to minimize adverse impacts on the hydrologic balance.

Historical surface- and ground-water records exist for some areas of the country and could be used by the permit applicant. However, complete inventories and current water quality and quantity data, particularly ground-water data, is often not available for small river basins throughout the country.

Paragraph (c) -- This paragraph requires hydrologic information for the permit area and all areas outside the permit area affected by the mining operation. This information will usually be developed by the regulatory authority but may be submitted by the applicant to speed the permitting process. The necessary

hydrologic information may in some cases be available through state and Federal agencies however, current surface- and ground-water information is frequently not available for small basins. This information is needed to assure that the cumulative impact of several operations does not exceed environmental standards.

Paragraph (d) -- This paragraph allows, but does not require the applicant to use modeling techniques for the hydrologic information requirements of the permit application. This is a time and cost saving feature of the permitting regulations. This information would be used by the regulatory authority in place of, or in combination with actual field information.

Paragraph (e) -- This paragraph requires information regarding the expected hydrologic impacts of the proposed operation. Information collected during baseline studies, surface- and ground-water inventories and modeling exercises, with supplemental information if necessary, would be used by the operator and the regulatory authority to predict probable hydrologic impacts. This assessment will be used to design the mining operation and reclamation plans, to protect the water rights of others and by the regulatory authority when analyzing the cumulative hydrologic impact assessment. This information is not collected by other Federal agencies.

Paragraph (f) -- This paragraph allows but does not require an applicant to submit a draft cumulative impact statement. This information may be available to the applicant and, if submitted, could speed the permitting process. This information is not collected by other Federal agencies and is required of the regulatory authority by section 507(b)(11) of the Act.

Paragraph (g) -- This paragraph requires the operator to submit information to the regulatory authority regarding plans for protection of the hydrologic balance during the conduct of mining and reclamation activities. This information is needed to assure that the operation will have a minimal impact on the hydrologic balance, that the protection of water rights of others is assured and that all performance standards have been considered and will be met. This information is site-specific information for each individual mining operation. This information is not collected by other Federal agencies and is required of all mining operations.

Paragraph (h) and (i) -- These paragraphs require the mine operator to develop, with qualifications, a surface- and ground-water monitoring plan for the proposed mining operation and to submit periodic monitoring data to the regulatory authority.

This information is necessary to insure that steps have been taken to protect the hydrologic balance and to allow changes in surface or ground-water quality and quantity to be detected. The monitoring information would not be available elsewhere. Also, if not collected there would be no way to comply with the law.

3. See Identical Responses to Statements.
4. See Identical Responses to Statements.
5. See Identical Responses to Statements.
6. See Identical Responses to Statements.
7. See Identical Responses to Statements.
8. See Identical Responses to Statements.
9. See Identical Responses to Statements.
10. See Identical Responses to Statements.
11. See Identical Responses to Statements.
12. Estimated Burden to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, there are approximately 63 permit applications, each requiring 40 hours to complete this section of the application. Therefore, 63 respondents x 1 response (permit application) per respondent x 40 hours per response = approximately 2,520 total hours.

In addition, state regulatory authorities must review this portion of the 62 permit applications they receive, requiring approximately 8.75 hours per application, or 8.75 hours x 62 applications = 543 hours.

Therefore, the total burden for all respondents is 2,520 hours for applicants + 543 for state review time = 3,063 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 40 hours x \$60 per hour = \$2,400, and the total labor cost to all applicants is \$151,200. Further, at \$45 per hour, each state regulatory authority requires \$394 per review, or \$24,428 for all states.

The total labor costs for all respondents is $\$151,200 + \$24,428 = \$175,628$.

13. Total Annual Cost Burden to Respondents

a. Capital and Start-up Costs

Non-labor costs for each respondent are \$2,500 resulting in a total cost of approximately \$157,500 for all respondents. The non-labor costs were provided by the engineering companies and include permit application costs for items such as equipment, copying, travel to the mine site and other locations for data collection, newspaper publications, laboratory analysis, and postage.

b. Operation, Maintenance and Services

Not applicable. Costs for this section are incurred prior to the commencement of mining

14. Estimate of cost to the Federal government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.14 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [40 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.14 where we are the regulatory authority. OSM estimates that approximately 16 hours will be required to review the information required for each permit application. Therefore, 16 hours x \$45 per hour x 1 application = \$720.

Therefore, the total cost to OSM is $\$1,800 + \$720 = \$2,520$.

15. There are currently 12,000 hours approved by OMB for this collection activity. This collection request will reduce the burden estimate by 8,937 hours. This is a result of a reduction in the total number of respondents and a re-estimate in per respondent burden identified by the individuals contacted in item 8. Therefore, the following table applies:

12,000 hours currently approved
- 8,937 hours due to a change in respondent burden and use
3,063 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Sections 784.15

A. Justification

1. Section 784.15 requires permit applicants to provide a description of the current land use, its productivity, the proposed postmining land use, and documentation regarding the landowners' opinion of the postmining land use. Section 784.15 fulfills section 508(a)(2)(A), (B), and (C), (a)(3), and (a)(4) of the Act.

2. The use of the information in section 784.15 required by each of the specific paragraphs of this section is as follows:

(a) and (b) - This information is designed to aid the regulatory authority in making decisions on proposed post-mining land use. The analysis required should discuss and compare the land use information and general reclamation requirements submitted under this section. This will result in a complete evaluation of the net impact which the proposed mining and reclamation will have upon the usefulness of the area affected.

(c) - This section requires the application to describe comments on the proposed use of the land by the state and local governments.

Information from this section is used by the regulatory authority to evaluate the proposed postmining land uses and to assess the compatibility of the proposed land use with the existing land use policies and plans.

3. See Identical Responses to Statements.
4. See Identical Responses to Statements.
5. See Identical Responses to Statements.
6. See Identical Responses to Statements.
7. See Identical Responses to Statements.
8. See Identical Responses to Statements.
9. See Identical Responses to Statements.
10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Reporting, Record Keeping, and Reviewing Burden

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 57 of the permit applications contain this information, each requiring 6 hours to complete this section of the application. Therefore, 57 respondents x 1 response (permit application) per respondent x 6 hours per response = approximately 342 total hours.

In addition, state regulatory authorities must review this portion for 56 permit applications, requiring approximately 1 hour per application, or 1 hour x 56 applications = 56 hours.

Therefore, the total burden for all respondents is 342 hours for applicants + 56 for state review time = 398 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 6 hours x \$60 per hour = \$360, and the total labor cost to all applicants is \$20,520. Further, at \$45 per hour, each state regulatory authority requires \$45 per review, or \$2,520 for all states.

The total labor costs for all respondents is \$20,520 + \$2,520 = \$23,040.

13. Total Annual Cost Burden to Respondents

a. Capital and Start-up Costs:

Non-labor costs for each respondent are \$20. The total costs for all respondents would be \$20 per respondent x 57 respondents = \$1,140.

b. Operation, Maintenance and Services:

Not applicable. Costs for this section are incurred prior to the commencement of mining.

14. Estimate of Cost to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.15 in the absence of any indication of problems. However, assuming that OSM conducts an oversight

review of this portion in one state program per year, one review requires an average of 3 hours. The annual cost to the Federal government for this oversight function is an estimated \$135 [3 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.15 where we are the regulatory authority. OSM estimates that approximately 1 hour will be required to review the information required for the permit application. Therefore, 1 hour x \$45 per hour x 1 application = \$45.

Therefore, the total cost to OSM is \$135 + \$45 = \$180.

15. There are currently 1,800 hours approved for this collection activity. This collection request will reduce the burden estimate by 1,402 hours. This is a result of a reduction in the total number of respondents and a re-estimate in per-respondent burden identified by the individuals contacted in item 8. Therefore, the following table applies:

1,800 hours currently approved
- 1,402 hours due to a reduction in respondent burden and use
398 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Sections 784.16

A. Justification

1. 30 CFR 784.16, in accordance with sections 507(b)(14), 508(a), 510(b), 515(b)(8), (10), (11), (13), (21), and (f) of the Act, requires the submission of a complete mining and reclamation plan showing the locations of each facility and the land to be affected so the regulating authority can determine the feasibility of the proposed plan. Section 784.16 establishes the permitting requirements for each reclamation plan to include the general plan and detailed design plan of all water-holding facilities that are used in the surface mining activities. These plans, which cover the construction, operation, maintenance and removal of the proposed facilities, are needed to provide the regulatory authority with comprehensive and reliable information on each structure.

2. The information or records required by each specific paragraph is used as follows:

Paragraph (a) requires a general plan and a detailed design plan for all water-holding facilities, e.g., sedimentation ponds, waste banks or dam and water impoundments. Each plan must be prepared and certified by designated professionals. The information is used by the regulatory authority to analyze the affect of the structures on human safety, property and the environment and to see that these values are properly protected.

Paragraph (b) specifies the design and plan requirements that must be submitted for permanent and temporary impoundments that are included in the design plan. These plans are reviewed in every case by the regulatory authority to see that the impoundments meet the performance standards of section 515(b)(8) of the Act and that the structures are safe.

Paragraph (d) specifies the design and plan requirements that must be submitted for coal waste banks. These plans are reviewed in every case by the regulatory authority to determine that the structure is stable and are not a hazard to the environment.

Paragraph (e) specifies the design and plan requirements for coal processing waste dams and embankments. This includes the results of a geotechnical investigation of the proposed dam or embankment foundation area. The results of the foundation investigation are used by the regulatory authority to assure the ability of the

site to support the structure, and the structure is safely constructed to protect the public.

Paragraph (f) specifies the requirement to include a stability analysis for each water-holding structure that is 20 feet or higher or impounds more than 20 acre-feet of water. This information is needed by the regulatory authority to review and approve the final design of the structure. The regulatory authority also needs the information in order to have a full understanding of the project and to determine the safety, adequacy, and suitability of the final design before granting approval of the design.

3. See Identical Responses to Statements.
4. See Identical Responses to Statements.
5. See Identical Responses to Statements.
6. See Identical Responses to Statements.
7. See Identical Responses to Statements.
8. See Identical Responses to Statements.
9. See Identical Responses to Statements.
10. See Identical Responses to Statements.
11. See Identical Responses to Statements.
12. Estimated Burden to Respondents

Based on OSM's annual evaluation reports, studies conducted by OSM, and discussions with industry identified in item 8 above, there are approximately 63 permit applications, each requiring 8 hours to complete this section of the application. Therefore, 63 respondents x 1 response (permit application) per respondent x 8 hours per response = approximately 504 hours.

In addition, state regulatory authorities must review this portion of 62 permit applications, requiring approximately 5 hours per application, or 5 hours x 62 applications = 310 hours.

Therefore, the total burden for all respondents is 504 hours for applicants + 310 for state review time = 814 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 8 hours x \$60 per hour = \$480, and the total labor cost to all applicants is \$30,240. Further, at \$45 per hour, each state regulatory authority requires \$225 per review, or \$13,950 for all states.

The total labor costs for all respondents is $\$30,240 + \$13,950 = \$44,190$.

13. Total Annual Cost Burden to Respondents

a. Capital and Start-up Costs:

Non-labor cost is \$168 per respondent. The total costs for all respondents would then be \$10,584.

b. Operation, Maintenance, and Services:

Not applicable. Costs for this section are incurred prior to the commencement of mining.

14. Estimate of Cost to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.16 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [40 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.16 where we are the regulatory authority. OSM estimates that approximately 6 hours will be required to review the information required for each permit application. Therefore, 5 hours x \$45 per hour x 1 application = \$270.

Therefore, the total cost to OSM is $\$1,800 + \$270 = \$2,070$.

15. There are currently 3,760 hours approved for this activity. This collection request will reduce the burden estimate by 2,946 hours. This is a result of a reduction in the total number of respondents and a re-estimate in per respondent burden identified

by the individuals contacted in item 8. Therefore, the following table applies:

3,760 hours currently approved
- <u>2,946</u> hours due to a reduction in respondent burden and use
814 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.17

A. Justification

1. 30 CFR 784.17, in accordance with sections 522(e)(1), (2), and (3) of the Act, requires the permit applicant to describe measures to minimize or prevent adverse impacts to national forests, public parks and historic places.
2. This information will enable the regulatory authority to determine whether the coal mine operation will create adverse impacts on designated areas and what mitigating measures will be required per 30 CFR 761.11. If it were not collected, there would be no way to comply with the law.
3. See Identical Responses to Statements.
4. See Identical Responses to Statements.
5. See Identical Responses to Statements.
6. See Identical Responses to Statements.
7. See Identical Responses to Statements.
8. See Identical Responses to Statements.
9. See Identical Responses to Statements.
10. See Identical Responses to Statements.
11. See Identical Responses to Statements.
12. Estimated Burden to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 22 respondents prepare this information, each requiring 4 hours to complete this section of the application. Therefore, 22 respondents x 1 response (permit application) per respondent x 4 hours per response = approximately 88 hours.

In addition, state regulatory authorities must review this portion of 21 permit applications, requiring approximately .5 hour per application, or .5 hours x 21 applications = 11 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 88 hours for applicants + 11 for state review time = 99 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 4 hours x \$60 per hour = \$240, and the total labor cost to all applicants is \$5,280. Further, at \$45 per hour, each state regulatory authority requires \$23 per review, or \$483 for all states.

The total labor costs for all respondents is \$5,280 + \$483 = \$5,763.

13. Total Annual Cost Burden to Respondents.

a. Capital and Start-up Costs:

Non-labor cost is \$550 per respondent. The total cost to all respondents would be \$550 x 22 = \$12,100.

b. Operation, Maintenance and Services:

Costs for this section are incurred prior to commencement of mining.

14. Estimate of Costs to the Federal Government.

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.17 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 8 hours. The annual cost to the Federal government for this oversight function is an estimated \$360 [8 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.17 where we are the regulatory authority. OSM estimates that approximately .5 hour will be required to review the information required for each permit application. Therefore, .5 hour x \$45 per hour x 1 application = \$23.

Therefore, the total cost to OSM is \$360 + \$23 = \$383.

15. There are currently 868 hours approved for this section. This collection request will reduce the burden estimate by 769

hours. This is a result of a reduction in the total number of respondents and a re-estimate in per respondent burden identified by the individuals contacted in item 8. Therefore, the following table applies:

868 hours currently approved
- <u>769</u> hours due to a reestimate in burden and use
99 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.18

A. Justification

1. 30 CFR 784.18, in accordance with sections 507(b)(13) and 522 of the Act, requires each application to describe with appropriate maps and cross sections the measures to be used to protect public roads in the permit area.

2. This information is necessary for the regulatory authority to determine if the applicant can comply with 30 CFR 761.11. If it were not collected, there would be no way to comply with the law.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimate of Costs to Respondents.

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 45% of the 63 permit applications contain this information, each requiring 8 hours to complete this section of the application. Therefore, 28 respondents x 1 response (permit application) per respondent x 8 hours per response = approximately 224 hours.

In addition, state regulatory authorities must review this portion of 27 permit applications, requiring approximately 2 hours per application, or 2 hours x 27 applications = 54 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 224 hours for applicants + 54 for state review time = 278 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 8 hours x \$60 per hour = \$480, and the total labor cost to all applicants is \$13,440. Further, at \$45 per hour, each state regulatory authority requires \$90 per review, or \$2,430 for all states.

The total labor costs for all respondents is \$13,440 + \$2,430 = \$15,870.

13. Total Annual Costs Burden to Respondents

a. Capital and Start-up Costs:

Non-labor cost for each respondent is \$50 x 28 total number of respondents = \$1,400.

b. Operation, Maintenance, and Services.

These costs are incurred prior to the commencement of mining.

14. Estimate of Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.18 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 8 hours. The annual cost to the Federal government for this oversight function is an estimated \$360 [8 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.14 where we are the regulatory authority. OSM estimates that approximately 3 hours will be required to review the information required for the permit application. Therefore, 3 hours x \$45 per hour x 1 application = \$135.

Therefore, the total cost to OSM is \$360 + \$135 = \$495.

15. There are currently 612 hours approved for this section. This collection request will reduce the burden estimate by 334 hours. This is a result of a reduction in the total number of

respondents and a re-estimate in per respondent burden identified by the individuals contacted in item 8. Therefore, the following table applies:

612 hours currently approved
- 334 hours due to a reestimate in respondent burden and use
278 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.19

A. Justification

1. Sections 508(a)(5) and 516(b)(4) of the Act, requires a showing of the engineering techniques proposed to be used in mining and reclamation which includes the disposal of underground development waste and excess spoil. These plans must include geotechnical investigations of the sites and, design, construction, operation, maintenance, and removal plans for structures.

2. This information is necessary so that the regulatory authority may evaluate the results of each geotechnical investigation, fill design, design of rock tow buttresses, key-way cuts, etc., to see that the disposal facility is properly designed.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimated Burden to Respondents

Based on OSM's annual evaluation reports, studies conducted by OSM, and discussions with industry identified in item 8 above, approximately 75% of the 63 permit applications contain this information, each requiring 8 hours to complete this section of the application. Therefore, 47 respondents x 1 response (permit application) per respondent x 8 hours per response = approximately 376 hours.

In addition, state regulatory authorities must review this portion of 46 permit applications, requiring approximately 4.5 hours per application, or $4.5 \text{ hours} \times 46 \text{ applications} = 207 \text{ hours}$ to review this portion of all applications.

Therefore, the total burden for all respondents is 376 hours for applicants + 207 for state review time = 583 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is $8 \text{ hours} \times \$60 \text{ per hour} = \480 , and the total labor cost to all applicants is \$22,560. Further, at \$45 per hour, each state regulatory authority requires \$203 per review, or \$9,315 for all states.

The total labor costs for all respondents is $\$22,560 + \$9,315 = \$31,875$.

13. Total Annual Cost Burden to Respondents

a. Capital and Start-up Costs:

Non-labor cost is $\$500 \text{ per respondent} \times 47 \text{ respondents} = \$23,500$.

b. Operation, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining.

14. Estimate of Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.19 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [$40 \text{ hours} \times \$45/\text{hour}$].

Federal Programs: OSM will review 1 permit application with information required by section 784.19 where we are the regulatory authority. OSM estimates that approximately 6 hours will be required to review the information required for each permit application. Therefore, $6 \text{ hours} \times \$45 \text{ per hour} \times 1 \text{ application} = \270 .

Therefore, the total cost to OSM is $\$1,800 + \$270 = \$2,070$.

15. There are currently 5,880 hours approved for this section. Due to a reduction in use reported by the states, from 60 permit applications containing this information to 47, and a reduction in estimated respondent burden noted by the industry representative identified in item 8 above, from 90 hours to 8 hours per applicant, the following table applies:

5,880	hours currently approved
- 5,297	hours due to a reduction in respondent burden and use
583	hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.20

A. Justification

1. Section 516(b)(1) of the Act, requires each applicant to identify the location of structures and renewable resource lands within the proposed permit area and adjacent area which may be materially damaged, or value diminished by subsidence, and indicate the location of domestic water supplies that could be affected by subsidence. The applicant is also required to provide a pre-mining survey of the condition of all non-commercial buildings or occupied residential dwellings and related structures, which might be materially damaged by subsidence.

The applicant is required to prepare a subsidence control plan, which includes: geological information of the site; descriptions of the proposed mining techniques; the location of areas in which subsidence will occur; prediction for planned subsidence; and the measures to be taken to prevent or minimize subsidence and its related damage.

2. Underground coal mining can often lead to ground movement and thereby inflict damage to surface structures and the environment. The information required under this section is necessary so that the regulatory authority will be able to assess whether the surface structures, renewable resource lands, or water supplies will be materially damaged or the value diminished. The information will also enable the regulatory authority to assure that the intent of section 516(b)(1) of the Act is implemented and that the operators "adopt measures consistent with known technology in order to prevent subsidence causing material damage to the extent technologically and economically feasible...."

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimated Burden to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 63 permit applicants each require 12 hours to complete this section of the application. Therefore, 63 respondents x 1 response (permit application) per respondent x 12 hours per response = approximately 756 hours.

In addition, state regulatory authorities must review this portion of 62 permit applications, requiring approximately 4 hours per application, or 4 hours x 62 applications = 248 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 756 hours for applicants + 248 for state review time = 1004 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 12 hours x \$60 per hour = \$720, and the total labor cost to all applicants is \$45,360. Further, at \$45 per hour, each state regulatory authority requires \$180 per review, or \$11,160 for all states.

The total labor costs for all respondents is \$45,360 + \$11,160 = \$56,520.

13. Total Annual Costs Burden to Respondents

a. Capital and Start-up Costs:

Non-labor costs for each respondent is \$500 x 63 (number of respondents) = \$31,500 in total non-labor costs.

b. Operation, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining.

14. Estimated Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes

process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.20 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [40 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.20 where we are the regulatory authority. OSM estimates that approximately 4 hours will be required to review the information required for each permit application. Therefore, 4 hours x \$45 per hour x 1 application = \$180.

Therefore, the total cost to OSM is \$1,800 + \$180 = \$1,980.

15. There are currently 8,640 hours approved for this section. Due to a reduction in use reported by the states, from 80 permit applications to 63, a decrease in estimated respondent burden noted by the industry representative identified in item 8 above, from 95 hours to 12 hours per applicant and a slight increase in state review time, the following table applies:

8,640 hours currently approved
- 7,636 hours due to a reestimate in respondent burden and use
1,004 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.21

A. Justification

1. 30 CFR 784.21, in accordance with sections 508(a)(13) of the Act, requires a plan of how the operator will minimize disturbances and adverse impacts to fish, wildlife and related environmental values and achieve enhancement where applicable. Maps showing each facility to be used to protect and enhance fish and wildlife and locations of wildlife monitoring points shall be included.

2. This information is needed by the regulatory authority to minimize disturbance and adverse impacts on fish and wildlife and related environmental values during surface mining activities. If it were not collected, there would be no way to comply with the law.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimate of Costs to Respondents.

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 60% of the 63 permit applications contain this information, each requiring 4 hours to complete this section of the application. Therefore, 38 respondents x 1 response (permit application) per respondent x 4 hours per response = approximately 152 hours.

In addition, state regulatory authorities must review this portion of 37 permit applications, requiring 2.5 hours per application, or 2.5 hours x 37 applications = 93 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 152 hours for applicants + 93 for state review time = 245 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 4 hours x \$60 per hour = \$240, and the total labor cost to all applicants is \$9,120. Further, at \$45 per hour, each state regulatory authority requires \$113 per review, or \$4,181 for all states.

The total labor costs for all respondents is \$9,120 + \$4,181 = \$13,301.

13. Total Annual Costs Burden to Respondents

a. Capital and Start-up Costs:

Non-labor cost for each respondent is \$200. The total costs for all respondents would be \$200 x 38 respondents = \$7,600.

b. Operations, Maintenance and Services:

Not applicable. These costs are incurred prior to commence of mining operations.

14. Estimated Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.21 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [40 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.21 where we are the regulatory authority. OSM estimates that approximately 3 hours will be required to review the information required for each permit application. Therefore, 3 hours x \$45 per hour x 1 application = \$135.

Therefore, the total cost to OSM is \$1,800 + \$135 = \$1,935.

15. There are currently 3,168 hours approved for this section. Due to a reduction in use reported by the states, from 48 permit applications containing this information to 38, and a decrease in

applicant burden from 58 hours to 4 hours, the following table applies:

- 3,168 hours currently approved
- 2,923 hours due to a decrease in respondent burden and use
245 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Sections 784.22

A. Justification

1. Sections 507(b)(11), (14) and (15) and 508(13) of the Act, require geologic information for surface mining and reclamation operations. Collection and analysis of geologic information by the applicant and the regulatory authority is necessary to determine the probable hydrologic consequences of the operations and any potentially acid- or toxic-forming substances that may affect the quality of the groundwater.

2. The information collected by the applicant is used in the preparation of the permit application package, whose contents are evaluated by the regulatory authority. The written record is used by the regulatory authority to explain the rationale supporting its grant of a waiver of the requirement for a statement of the results of the test borings or core samples. The use of the information or records required by each paragraph is as follows:

Paragraph (b). -- Information on the areal and structural geology and the lithology of the strata in the permit area and potentially impacted offsite areas is used in relation to studies of the impact of surface mining and reclamation operations on ground water. Information from cross sections, maps, plans, test borings, core samplings, and chemical analyzes is used in the narrative description of the geology within the permit area, also in relation to studies of the impact of surface mining and reclamation operations on ground water.

Paragraph (c). -- Information from samples from deeper test borings or drill cores or from areas outside the permit area is used to evaluate the impact of surface mining and reclamation operations on ground water.

Paragraph (d). -- The written record is used by the regulatory authority to explain the rationale supporting its determination that the statement of the results of the test borings or core samplings is unnecessary in part or in its entirety, as appropriate. If this information were not collected, there would be no way to comply with the law.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.
6. See Identical Responses to Statements.
7. See Identical Responses to Statements.
8. See Identical Responses to Statements.
9. See Identical Responses to Statements.
10. See Identical Responses to Statements.
11. See Identical Responses to Statements.
12. Estimate Burden to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 75% of the 63 permit applications contain this information, each requiring 24 hours to complete this section of the application. Therefore, 47 respondents x 1 response (permit application) per respondent x 24 hours per response = approximately 1,128 hours.

In addition, state regulatory authorities must review this portion of 46 permit applications, requiring approximately 6 hours per application, or 6 hours x 46 applications = 276 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 1,128 hours for applicants + 276 for state review time = 1,404 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 24 hours x \$60 per hour = \$1,440, and the total labor cost to all applicants is \$67,680. Further, at \$45 per hour, each state regulatory authority requires \$270 per review, or \$12,420 for all states.

The total labor costs for all respondents is \$67,680 + \$12,420 = \$80,100.

13. Total Annual Cost Burden to Respondents
 - a. Capital and Start-up Costs:

Non-labor costs for each respondent is \$5,000 x 47 respondents = \$235,000 for all respondents.

b. Operations, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining operations.

14. Estimate of Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.22 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 50 hours. The annual cost to the Federal government for this oversight function is an estimated \$2,250 [50 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.22 where we are the regulatory authority. OSM estimates that approximately 8 hours will be required to review the information required for the permit application. Therefore, 8 hours x \$45 per hour x 1 application = \$360.

Therefore, the total cost to OSM is \$2,250 + \$360 = \$2,610.

15. There are currently 22,980 hours approved for this section. Due to a reduction in use reported by the states, from 60 permit applications containing this information to 47, and a decrease in per-respondent burden from 373 hours to 24 hours based on discussions with industry and states identified in item 8 above, the following table applies:

22,980 hours currently approved
- <u>21,576</u> hours due to a reestimate in burden and a change in use
1,404 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.23

A. Justification

1. Section 507(b)(3) and (14) of the Act, requires each applicant to submit maps and plans of the proposed mine plan and adjacent areas.

2. Accurate maps and plans are needed by the regulatory authority to determine whether the applicant can meet the performance standards of Part 817. This information will give the regulatory authority an overview of the entire operation, which will supplement area. This information is necessary in order to assess the cumulative impacts of the entire mining operation and to ensure high quality planning, design and documentation of maps required in the application. If the information were not collected, there would be no way to comply with the law.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimate of Burden to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, 63 permit applications contain this information, each requiring 40 hours to complete this section of the application. Therefore, 63 respondents x 1 response (permit application) per respondent x 40 hours per response = approximately 2,520 hours.

In addition, state regulatory authorities must review this portion of 62 permit application, requiring approximately 7 hours per application, or 7 hours x 62 applications = 434 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 2,520 hours for applicants + 434 for state review time = 2,954 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 40 hours x \$60 per hour = \$2,400 and the total labor cost to all applicants is \$151,200. Further, at \$45 per hour, each state regulatory authority requires \$338 per review, or \$19,530 for all states.

The total labor costs for all respondents is \$151,200 + \$19,530 = \$170,730.

13. Total Annual Costs Burden to Respondents

a. Capital and Start-up Costs:

Non-labor costs for each respondent are \$100. The total costs for all respondents would be 63 x \$100 per respondent = \$6,300.

b. Operations, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining.

14. Estimate of Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.23 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 80 hours. The annual cost to the Federal government for this oversight function is an estimated \$3,600 [80 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.23 where we are the regulatory authority. OSM estimates that approximately 10 hours will be required to review the information required for each permit application. Therefore, 10 hours x \$45 per hour x 1 application = \$450.

Therefore, the total cost to OSM is $\$3,600 + \$450 = \$4,050$.

15. There are currently 5,016 hours in the ICB. Due to a reduction in use reported in the annual reports, from 76 permit applications containing this information to 60, and a reduction in estimated applicant burden from 50 hours to 40 hours, the following table applies:

5,016 hours currently approved
- <u>2,062</u> hours due to a reestimate in burden and a change in use
2,954 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.24

A. Justification

1. Sections 507(b)(14), 508(a) and 510(b) of the Act require the submission of a complete mining and reclamation plan showing the locations of each facility and the land to be affected. Regulatory authorities use this information to determine the feasibility of the proposed plan to meet the performance standards of sections 515(b)(7) and (18) of the Act. Section 784.24(a) establishes the permitting requirements for reclamation plans to include plans and drawings for each road that is used in the surface mining activities. The regulatory authority reviews and approves these plans that cover the design, specifications, and construction and removal of each proposed road as being in compliance with the performance standards in sections 817.150 and .151 for roads.

2. These plans and drawings from the applicant that describe each road width, gradient, surfacing material, cut, fill embankment, culvert, bridge, drainage ditch, low-water crossing and drainage structure are needed so the regulatory authority is provided with comprehensive and reliable information on each structure. From the drawings and specifications, the regulatory authority must approve each road that is located in the channel of an intermittent stream or perennial stream, each road stream ford that is used as a temporary route and each alteration or relocation of a natural drainageway. The drawings and specifications are approved by the regulatory authority as being properly designed and consistent with engineering and environmental standards. This information is needed to determine that each road or approved drainage structure does not cause pollution of water, damage to fish or wildlife or their habitat or public or private property.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.
10. See Identical Responses to Statements.
11. See Identical Responses to Statements.
12. Estimate of Costs to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 90% of the 63 permit applications contain this information, each requiring 20 hours to complete this section of the application. Therefore, 57 respondents x 1 response (permit application) per respondent x 20 hours per response = approximately 1,140 hours.

In addition, state regulatory authorities must review this portion of 56 permit applications, requiring approximately 4.5 hours per application, or 4.5 hours x 56 applications = 252 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 1,140 hours for applicants + 252 for state review time = 1,392 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 20 hours x \$60 per hour = \$1,200, and the total labor cost to all applicants is \$68,400. Further, at \$45 per hour, each state regulatory authority requires \$203 per review, or \$11,368 for all states.

The total labor costs for all respondents is \$68,400 + \$11,368 = \$79,768.

13. Annual Costs to all Respondents

a. Capital and Start-up Costs:

Non-labor costs for each respondent are \$50. The costs for all respondents would be \$50 per respondent x 57 respondents = \$2,850.

b. Operations, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining.

14. Estimated Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes

process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.24 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 36 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,620 [36 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.24 where we are the regulatory authority. OSM estimates that approximately 6 hours will be required to review the information required for each permit application. Therefore, 6 hours x \$45 per hour x 1 application = \$270.

Therefore, the total cost to OSM is \$1,620 + \$270 = \$1,890.

15. There are currently 2,448 hours in the ICB. Due to a reduction in use reported by the states, from 72 permit applications containing this information to 57, and a decrease in per-respondent burden based on discussions with industry identified in item 8 above, from 28 hours to 20 hours per applicant, the following table applies:

2,448 hours currently approved
- 1,056 hours due to a reduction in respondent burden and use
1,392 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.25

A. Justification

1. Sections 507, 508, 510, 516 and 517 of the Act, require a plan for alleviating potential subsidence problems and disposing of coal processing wastes in abandoned underground mines.

2. This information is necessary for the regulatory authority to evaluate the permit and to ensure that the operator can comply with the performance standards covering the underground disposal of coal mine waste. This data and anticipated effects are necessary to evaluate the impact backfilling may have on mitigating subsidence, environmental impacts of backfilling operations, and the health and safety of both underground miners and the protection of the public.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimate of Costs to Respondents.

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, approximately 55% of the 63 permit applications contain this information, each requiring 6 hours to complete this section of the application. Therefore, 35 respondents x 1 response (permit application) per respondent x 6 hours per response = approximately 210 hours.

In addition, state regulatory authorities must review this portion of 34 permit applications, requiring approximately 4 hours per application, or 4 hours x 34 applications = 136 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 210 hours for applicants + 136 for state review time = 346 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 6 hours x \$60 per hour = \$360, and the total labor cost to all applicants is \$12,600. Further, at \$45 per hour, each state regulatory authority requires \$180 per review, or \$6,120 for all states.

The total labor costs for all respondents is $\$12,600 + \$6,120 = \$18,720$.

13. Total Annual Costs Burden to Respondents

a. Capital and Start-up Costs:

Non-labor costs for each respondent are \$100. The total costs for all respondents would be $\$100 \times 35$ respondents = \$3,500.

b. Operation, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining.

14. Estimated Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.25 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [40 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.25 where we are the regulatory authority. OSM estimates that approximately 6 hours will be required to review the information required for each permit application. Therefore, 6 hours x \$45 per hour x 1 application = \$270.

Therefore, the total cost to OSM is $\$1,800 + \$270 = \$2,070$.

15. There are currently 2,420 hours in the ICB. Due to a reduction in use reported, from 44 permit applications to 35, and a decrease in the estimated per-respondent burden, from 45 hours to 6 hours based on discussions with industry identified in item 8 above, the following table applies:

2,420 hours currently approved
- 2,074 hours due to a reestimate in burden and a change in use
346 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement for Reporting Requirements of
Section 784.29

A. Justification

1. 30 CFR 784.29, in accordance with sections 507(b) and 508(a) of the Act, requires a description of diversions to be constructed within the proposed permit area to enable the regulatory authority to determine how stream channels, overland, and shallow ground water flow will be controlled.

2. This section is necessary for the protection of the hydrologic balance of the mining area for the diversion and conveyance of overland, shallow ground water, and ephemeral stream flows. Diversions represent an important environmental tool, therefore, it is necessary to ensure that the applicant describes efforts to prevent or minimize water pollution, to maintain the stability of fills and to protect treatment facilities.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.

9. See Identical Responses to Statements.

10. See Identical Responses to Statements.

11. See Identical Responses to Statements.

12. Estimate of Costs to Respondents

Based on OSM's annual evaluation reports, studies conducted by OSM, and discussions with industry identified in item 8 above, approximately 25% of the 63 permit applications contain this information, each requiring 16 hours to complete this section of the application. Therefore, 16 respondents x 1 response (permit application) per respondent x 16 hours per response = approximately 256 hours.

In addition, state regulatory authorities must review this portion of 15 permit applications, requiring approximately 5 hours per application, or 5 hours x 15 applications = 75 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 256 hours for applicants + 75 for state review time = 331 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 16 hours x \$60 per hour = \$960, and the total labor cost to all applicants is \$15,360. Further, at \$45 per hour, each state regulatory authority requires \$225 per review, or \$3,375 for all states.

The total labor costs for all respondents is \$15,360 + \$3,375 = \$18,735.

13. Total Annual Costs Burden to Respondents

a. Capital and Start-up Costs:

Non-labor costs for each respondent are \$50. Total costs for all respondents is \$50 x 16 respondents = \$800.

b. Operation, Maintenance, and Services:

Not applicable. These costs are incurred prior to commencement of mining.

14. Estimate of Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.29 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 20 hours. The annual cost to the Federal government for this oversight function is an estimated \$900 [20 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.29 where we are the regulatory authority. OSM estimates that approximately 6 hours will be required to review the information required for the permit application. Therefore, 6 hours x \$45 per hour x 1 application = \$270.

Therefore, the total cost to OSM is $\$900 + \$270 = \$1,170$.

15. There are currently 540 hours in the ICB. Due to a reduction in use reported by the states, from 20 permit applications containing this information to 16, and the reestimate in applicant burden, from 23 hours to 16, the following table applies:

540 hours currently approved
- <u>209</u> hours due to a reduction in use and burden per respondent
331 hours requested

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.

Supporting Statement of Reporting Requirements of
Section 784.30

A. Justification

1. 30 CFR 784.30, in accordance with sections 507(b)(14), and 503(a), and 510(b), and 516(b) of the Act, requires the submission of a complete mining and reclamation plan showing the plan and locations of each facility and the land to be affected so the regulatory authority can determine the feasibility of the proposed plan to meet the performance standards of section 515(b)(4) and 515(b)(24) of the Act. Section 515(b)(4) requires the stabilization and protection of all surface areas affected by the surface coal mining and reclamation operation to effectively control erosion and attendant air and water pollution. Section 515(b)(24) requires that to the extent possible using the best technology currently available, minimize disturbances and adverse impacts of the operation on fish, wildlife, and related environmental values and achieve enhancement of such resources where practicable. Section 784.30 establishes the permitting requirements for reclamation plans to include descriptions, plans, and drawings for each support facility that is used in the surface underground mining activities. These plans and drawings that include a map, appropriate cross-sections, design drawings and specifications for each system or facility are reviewed and approved by the regulatory authority as being in compliance with the performance standards in section 817.181 for support facilities.

2. These plans and drawings from the applicant are needed so the regulatory authority is provided with comprehensive and reliable information on each system or facility. These plans and specifications are approved by the regulatory authority as being in sufficient detail to demonstrate compliance with section 817.181 for each system or facility. This information is needed to determine that each system or facility effectively controls erosion and attendant air and water pollution; and minimizes damage to fish and wildlife and related environmental values.

3. See Identical Responses to Statements.

4. See Identical Responses to Statements.

5. See Identical Responses to Statements.

6. See Identical Responses to Statements.

7. See Identical Responses to Statements.

8. See Identical Responses to Statements.
9. See Identical Responses to Statements.
10. See Identical Responses to Statements.
11. See Identical Responses to Statements.
12. Estimate of Costs to Respondents

Based on OSM's annual evaluation reports and discussions with industry identified in item 8 above, 63 permit applications contain this information, each requiring 8 hours to complete this section of the application. Therefore, 63 respondents x 1 response (permit application) per respondent x 8 hours per response = approximately 504 hours.

In addition, state regulatory authorities must review this portion of 62 permit applications, requiring approximately 2 hours per application, or 2 hours x 62 applications = 124 hours to review this portion of all applications.

Therefore, the total burden for all respondents is 504 hours for applicants + 124 for state review time = 628 total hours.

Using \$60 per hour, the annual labor cost for each permit applicant is 8 hours x \$60 per hour = \$480, and the total labor cost to all applicants is \$30,240. Further, at \$45 per hour, each state regulatory authority requires \$90 per review, or \$5,580 for all states.

The total labor costs for all respondents is \$30,240 + \$5,580 = \$35,820.

13. Total Annual Costs Burden to Respondents

- a. Capital and Start-up Costs:

Non-labor costs are estimated at \$100 per respondent. The total costs for all respondents would be \$100 x 63 = \$6,300.

- b. Operation, Maintenance, and Services:

Not applicable. These costs are incurred prior to the commencement of mining.

14. Estimated Costs to the Federal Government

Oversight: In keeping with the current guidance concerning oversight of state program implementation, which de-emphasizes process reviews, OSM does not anticipate conducting any significant oversight review of state compliance with the requirements of 30 CFR 784.30 in the absence of any indication of problems. However, assuming that OSM conducts an oversight review of this portion in one state program per year, one review requires an average of 40 hours. The annual cost to the Federal government for this oversight function is an estimated \$1,800 [40 hours x \$45/hour].

Federal Programs: OSM will review 1 permit application with information required by section 784.30 where we are the regulatory authority. OSM estimates that approximately 2 hours will be required to review the information required for each permit application. Therefore, 2 hours x \$45 per hour x 1 application = \$90.

Therefore, the total cost to OSM is \$1,800 + \$90 = \$1,890.

15. There are currently 4,080 hours in the ICB. Due a decrease in the estimated applicant burden based on discussions with industry identified in item 8 above, from 43 hours per response to 8 hours, and the reduction in use, from 80 applications to 63, the following table applies:

4,080 hours currently approved
- 3,452 hours due to a re-estimate of burden and change in use
628 hours requested in OMB 83-I

Due to the reduction in respondents, there will be a corresponding reduction in non-wage costs associated with the collection.

16. See Identical Responses to Statements.

17. See Identical Responses to Statements.

18. See Identical Responses to Statements.

B. Collection of Information Employing Statistical Method

See Identical Responses to Statements.