

ICR SUPPORTING STATEMENT OUTLINE

Part A

1. Identification of the Information Collection

1(a) Title of the Information Collection

Confidential Financial Disclosure Form 3110.48 for Special Government Employees (SGE) Serving on Federal Advisory Committees at the Environmental Protection Agency (Renewal)

1(b) Short Characterization/Abstract

The purpose of this information collection request is to assist the United States Environmental Protection Agency (EPA or the Agency) in selecting Federal advisory committee members who will be appointed as Special Government Employees (SGEs), mostly to EPA's scientific and technical committees. To select SGE members as efficiently and cost effectively as possible, the Agency needs to evaluate potential conflicts of interest before a candidate is hired as an SGE and appointed as a member to a committee by EPA's Administrator or Deputy Administrator.

Agency officials developed the "Confidential Financial Disclosure Form for Special Government Employees Serving on Federal Advisory Committees at the U.S. Environmental Protection Agency," also referred to as Form 3110-48, for a greater inclusion of information to discover any potential conflicts of interest as recommended by the Government Accountability Office.

2. Need for and use of the Collection

2(a) Need/Authority for the Collection

In June 2001, the Government Accountability Office (GAO) issued a report entitled "EPA's Science Advisory Board Panels – Improved Policies and Procedures Needed to Ensure Independence and Balance." GAO recommended that EPA develop policies and procedures that better identify and mitigate potential conflicts of interest and support the development of balanced panels. Recommendations included gathering the required conflict of interest information before a member is selected, specifically:

- Determine whether each panel will be reviewing a "particular matter" before selecting the panel in order to identify the financial conflict-of-interest requirements, if any, to which the panelists will be subject.
- Obtain and evaluate relevant background information on peer review panel candidates before appointing panel members. The evaluation should include explicitly discussing with potential panelists (1) items not adequately reported on the confidential financial disclosure form as well as items reported that could present conflicts of interest; (2) other information relevant to assessing

impartiality, such as research conducted and previous public statements or positions on the matter being reviewed, interest of the employer or clients in the matter, participation in legal proceedings, work for chemical companies or other affected industries, and prior or current research grants that could be affected by the matter; and (3) whether they have any potential conflicts of interest related to the specific panel being established. Further, pertinent information obtained from discussions with panelists should be documented.”

As part of that effort to respond to GAO’s recommendations, EPA developed a new and improved form for all of its scientific and technical committee’s special government employees.

EPA’s Designated Federal Officers (DFOs) who manage EPA Federal Advisory Committees (FACs) experienced great difficulty trying to use the OGE Form 450 to identify actual or potential conflicts of interest of potential candidates for Federal Advisory Committee membership. The OGE Form 450 was confusing for the proposed members and they did not identify all financial interests of possible concern. In response to the GAO’s recommendations, EPA developed the Form 3110-48 to ensure that all relevant financial interests are identified and considered during the member selection process. It is important for EPA to have this information collection in place because we continuously need to appoint new SGE members as new advisory committees are created or as members’ terms of appointment expire.

The Form 3110-48 is completed by candidates for membership as SGEs on EPA federal advisory committees. The form is completed as part of the member selection process and before they are invited to serve as a member of a FAC at EPA. The Form 3110-48 is reviewed by the Committee’s Designated Federal Officer, and the Program Office Deputy Ethics Official to determine whether there is a financial conflict of interest between the proposed member’s public responsibilities and private interests/activities and whether there is any appearance of a lack of impartiality. In some cases, the Alternate Designated Agency Ethics Official also reviews the form. As GAO recommended, it is important to collect this information before the potential member is appointed to the advisory committee, because if a conflict of interest is identified after the person is appointed, the Agency may have to terminate the person’s membership and identify another person who to serve on the committee. This is potentially embarrassing to both the Agency and the appointed member. It is also important to know upfront that a candidate could serve if appointed, as the appointment process is time consuming and, as required by the Federal Advisory Committee Act, the Agency must ensure that the advisory committee is balanced in the points of view represented. If a conflict is identified after a person is appointed to an advisory committee as an SGE, additional time is needed to select a replacement and the Agency loses valuable time and expertise in receiving the advice it needs. Also important is the fact that finding replacement members creates a burden of additional cost and staff hours. Using the Form 3110-48 benefits EPA by increasing efficiency and saving time and money.

Currently 10 of EPA’s 24 Federal Advisory Committees (FACs) appoint members as SGEs and have need to use the Form 3110-48. This number may increase as new committees are added, or decrease as committees are terminated. EPA anticipates having approximately 300 SGEs during the next 3 years.

Again, it is imperative that Form 3110-48 be approved to satisfy the GAO recommendations that EPA gather the required Conflict of Interest information before a member

is selected to improve the EPA's policies and procedures to better identify and mitigate potential conflicts of interest and support the development of balanced membership. EPA must have this information collection in place so that the EPA doesn't lose continuity in appointing new Special Government (SGE) members, as new advisory committees are created, or as members' terms of appointment expire. If a conflict is identified after an SGE is appointed to an advisory committee, the SGE and the EPA face embarrassment and additional time is needed to select a replacement while EPA loses valuable time and expertise. Using the Form 3110-48 before member appointments are made benefits EPA by increasing efficiency, thus saving time and money.

EPA requires SGEs who are new to a federal advisory committee to complete parts 2-9 of Form 3110-48 before participating in a Committee activity. Subsequently, SGEs must file reports annually to report on the previous calendar year. For these annual reports, the SGEs must complete parts 2-8. In addition, they must complete Part 1 ("Statement regarding any change since annual submission of the form") and Part 9 ("Identification of any other information related to conflicts of interest or appearance of a lack of impartiality") before participating in any new advisory activity. Filers must provide sufficient information about outside interests and activities so that EPA DFOs and ethics officials can make an informed judgment regarding any conflict of interest or appearance of lack of impartiality. EPA staff may contact proposed SGEs to obtain additional information if necessary to determine whether there is a conflict between an SGE's public responsibilities and his /her or his/her spouse's private interests and activities.

2(b) Practical Utility/Users of the Data

Information gathered from Form 3110-48 will continuously help EPA to evaluate relevant background information on Special Government Employee candidates before appointing members. By using the form, EPA DFOs are allowed to expedite the process of selecting viable candidates for membership on EPA's federal advisory committees.

3. Non duplication, Consultations, and Other Collection Criteria

3(a) Non duplication

Almost all information request from respondents under this ICR is personal in nature and, in most cases, is not available from other sources.

3(b) Public Notice Required Prior to ICR submission to OMB

On November 27, 2007 (72 FR 66165), EPA sought comments on this ICR pursuant to CFR 1320.8(d). EPA received one comment during the comment period, requesting that the confidential disclosure forms be made publicly available on the internet. This is not possible because, as discussed in section 3(f) below, this information is confidential and restricted from public disclosure by statute. No other comments were received on this ICR.

3(c) Consultations

In June 2001, GAO the Government Accountability Office (GAO) issued a report entitled “EPA’s Science Advisory Board Panels – Improved Policies and Procedures Needed to Ensure Independence and Balance.” GAO recommended that EPA develop policies and procedures that better identify and mitigate potential conflicts of interest and support the development of balanced panels. Recommendations included gathering the required conflict of interest information before a member is selected, specifically:

- Determine whether each panel will be reviewing a “particular matter” before selecting the panel in order to identify the financial conflict-of-interest requirements, if any, to which the panelists will be subject.
- Obtain and evaluate relevant background information on peer review panel candidates before appointing panel members. The evaluation should include explicitly discussing with potential panelists (1) items not adequately reported on the confidential financial disclosure form as well as items reported that could present conflicts of interest; (2) other information relevant to assessing impartiality, such as research conducted and previous public statements or positions on the matter being reviewed, interest of the employer or clients in the matter, participation in legal proceedings, work for chemical companies or other affected industries, and prior or current research grants that could be affected by the matter; and (3) whether they have any potential conflicts of interest related to the specific panel being established. Further, pertinent information obtained from discussions with panelists should be documented.”

As part of that effort to respond to GAO’s recommendations, EPA developed a new and improved form for all of its scientific and technical committee’s special government employees.

3(d) Effects of Less Frequent Collection

The form cannot be updated less frequently than once a year. The form allows Government officials to determine whether there is a statutory conflict between Special Government Employees’ public responsibilities and private interests and activities, or the appearance of a lack of impartiality, as defined by federal regulation.

18 U.S.C. 208: “An employee is prohibited from participating personally and substantially in an official capacity in any particular matter in which, to his knowledge, he or any person whose interests are imputed to him under this statute has a financial interest, if the particular matter will have a direct and predictable effect on that interest.”

5 C.F.R. 2635.502: Appearance of lack of impartiality: “Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect *on* the financial interest of a member of his household, or knows that a person with whom he has a covered relationship is or represents a party to such matter, and where the person determines that the *circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate* in the matter unless he *has informed the agency designee of the appearance of a problem and received authorization*

from the agency designee".

3(e) General Guidelines

This ICR complies with OMB's general guidelines for the collection of information.

3(f) Confidentiality

Confidentiality of Information provided on the Form 3110-48:

Title I of the Ethics in Government Act of 1978 (the Act), 5 USC App., Executive Order 12674, and 5 CFR Part 2634, Subpart I, of the Office of Government Ethics regulations require the reporting of financial information that is relevant to the administration and application of the criminal financial conflict of interest laws, administrative standards of conduct, and agency-specific statutory and program-related restrictions. The primary use of the information collected on this form is to allow EPA to conduct the conflicts reviews in accordance with applicable Federal laws and regulations. The information reported on the Form 3110-48 is "confidential" and required to be withheld from the public pursuant to Section 107(a) of the Act. Agency personnel shall not publicly release the reports on the information contained therein except that disclosures may be pursuant to (1) a Federal, State or local law enforcement agency if the disclosing agency becomes aware of a violation or potential violation of law or regulation; (2) a court or party in a court or Federal administrative proceeding if the Government is a party or in order to comply with a judge-issued subpoena; (3) a source when necessary to obtain information relevant to a conflict of interest investigation or decision; (4) the National Archives and Records Administration or the General Services Administration in records management inspections; (5) the Office of Management and Budget during legislative coordination on private relief legislation; and (6) in response to a request for discovery or for the appearance of a witness in a judicial or administrative proceeding, if the information is relevant to the subject matter. The confidential report will not be disclosed to any requesting person unless authorized by law.

3(g) Sensitive Questions

Title I of the Ethics in Government Act of 1978 (the Act), 5 USC App., Executive Order 12674, and 5 CFR Part 2634, Subpart I, of the Office of Government Ethics regulations require the reporting of financial information that is relevant to the administration and application of the criminal financial conflict of interest laws, administrative standards of conduct, and agency-specific statutory and program-related restrictions. The primary use of the information collected on this form is to allow EPA to conduct the conflicts reviews in accordance with applicable Federal laws and regulations. The information reported on the Form 3110-48 is "confidential" and required to be withheld from the public pursuant to Section 107(a) of the Act. Agency personnel shall not publicly release the reports on the information contained therein except that disclosures may be pursuant to (1) a Federal, State or local law enforcement agency if the disclosing agency becomes aware of a violation or potential violation of law or regulation; (2) a court or party in a court or Federal administrative proceeding if the Government is a party or in order to comply with a judge-issued subpoena; (3) a source when necessary to obtain information relevant to a conflict of interest investigation or decision; (4) the National Archives and Records

Administration or the General Services Administration in records management inspections; (5) the Office of Management and Budget during legislative coordination on private relief legislation; and (6) in response to a request for discovery or for the appearance of a witness in a judicial or administrative proceeding, if the information is relevant to the subject matter. The confidential report will not be disclosed to any requesting person unless authorized by law.

4. The Respondents and the Information Requested

4(a) Respondents/NAICS Codes

A Special Government Employee (SGE) is a person who is retained, designated, appointed, or employed to perform, with or without compensation, for a period not to exceed 130 days during any period of 365 consecutive days, temporary duties for the Federal Government either on a full-time or intermittent basis. SGEs who provide advice to EPA are required to file the Form 3110-48 in lieu of the Office of Government Ethics form 450 to disclose confidential financial information. Form 3110-48 has already been reviewed and approved for use by the Office of Government Ethics.

4(b) Information Requested

(i) Data items, including record keeping requirements

Data items on the Form 3110-48 request details concerning financial assets and interests held by the applicant. These items include:

- Statement regarding any change since the previous annual submission of the form
- Compensated Employment
- Non-compensated Employment
- Research Support and Project Funding
- Consulting Activities not reported elsewhere
- Assets, Stocks, Bonds, Real Estate, Business, Patent, Trademarks, Royalties
- Liabilities
- Any other information related to conflict of interest or appearance of impartiality

The Agency will maintain records of the Form 3110-48. Designated Federal Officers from Offices sponsoring federal advisory committees will retain files of the completed form. As all required information would reasonably be kept or known by the respondent regardless of participation on a Federal Advisory Committee, the Agency does not anticipate any record keeping activities on the part of the respondents under this ICR.

(ii) Respondent Activities

After being nominated by an outside party or themselves, respondents will be asked to Complete the Form 3110-48. Forms may be mailed or e-mailed to candidates. Although candidates may type their information on the form on-line, they must then print the form and sign it. They may return the form by mail, but may not return the form by e-mail as an original signature is required. Each form will involve reading instructions and completing the form. The form will require one hour to complete. Subsequent forms filed annually should take less

time to complete as respondents gain familiarity with its information requirements and may only need to make slight changes to information filed previously.

5. The Information Collected—Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

To respond to this ICR, we estimated that Designated Federal Officers (DFOs) spend one hour reviewing each Form 3110-48 (sometimes calling and asking for further clarification or to address areas not filled out completely). EPA currently pays an estimated labor cost of GS 14 Step 10, which in 2007 was \$58.44 per hour, rounded to \$58 per hour. Anticipating a 2 percent increase for each of the next 3 years of this ICR (2008, 2009, 2010), the 3 year **average** estimated cost for the DFO is \$29,280.

The Ethics Attorney, Office of Government Ethics in EPA labor cost is estimated to be a GS-15 Step 7, which in EPA's Emergency ICR (2007) was \$63.46, rounded to \$63 per hour at one hour per form. Anticipating a 2 percent increase for each of the next 3 years of this ICR (2008, 2009, 2010), the 3 year **average** highest estimated cost for the OGE is \$31,680.

Both DFO and OGE total labor rates include a 1.6 (60%) for overhead costs.

DFO Cost

EPA estimates that 300 advisory committee members will serve on EPA's Federal Advisory Committees (FACs) as SGEs over the next 3 years. Multiplying the number of SGE members (300) by the 3 year **average** dollar amount paid to EPA's DFOs (\$61), and multiplying the subtotal cost of \$18,300 by 1.6 (60% overhead) to allow for employee overhead costs, we estimate the subtotal to be \$29,280.

Year 1 @ \$60 for 1 hour x 300 = \$18,000 x 1.6 = \$28,800
Year 2 @ \$61 for 1 hour x 300 = \$18,300 x 1.6 = \$29,280
Year 3 @ \$62 for 1 hour x 300 = \$18,600 x 1.6 = \$29,760

OGE Cost

Multiplying the number of SGE members (300) by the dollar amount paid to EPA's OGE staff with a 3 year average cost (\$66), and multiplying the cost of \$19,800 by 1.6 (60% overhead) to allow for employee overhead costs, we estimate the subtotal to be \$31,680.

Year 1 @ \$65 for 1 hour x 300 = \$19,500 x 1.6 = \$31,200
Year 2 @ \$66 for 1 hour x 300 = \$19,800 x 1.6 = \$31,680
Year 3 @ \$67 for 1 hour x 300 = \$20,100 x 1.6 = \$32,160

Total DFO and OGE Cost Using 3 Year Average

The total 3 year average dollar burden estimate for this ICR (for both DFOs and OGE staff) is approximately **\$60,960** each year.

DFO 3 year average \$29,280 + OGE 3 year average \$31,680 = \$60,960

Agency (EPA) activities associated with the collection of information include:

Designated Federal Officers (DFOs) for each committee with Special Government Employees (SGEs), EPA Ethics staff (EPA OGE), EPA Office of General Counsel staff (EPA OGC).

- First internal EPA review and approval of Form 3110-48 (completed 2003)
- Second internal EPA review and approval of Form 3110-48 (completed 2007)
- Taking actions to review the form, ascertain improvements, and revise periodically (approximately 3 year intervals or more if needed)

Designated Federal Officers (DFOs) for each committee with Special Government Employees (SGEs)

- Providing copies of the mandatory form
- Answering any respondent questions, follow-up
- Gathering respondents completed forms
- Reviewing and analyzing data
- Recordkeeping/storing completed form
- Forwarding form to EPA's Ethics staff for review and analyzing

Office of Government Ethics Activities:

- First review and approval of Form 3110-48 (completed 2003)
- Second review and approval of Form 3110-48 (completed 2007)

OGE:

- Review Form 3110-48, follow-up if necessary, and approve or disapprove

5(b) Collection Methodology and Management

In collecting and analyzing the information associated with this ICR, EPA will use a telephone system, personal computers, e-mail and websites from which the respondents can obtain blank forms, as well as using the mail and committee meetings for distribution of the form. Although candidates (respondents) may type their information on the form on-line, they must then print the form and sign it. They may return the form by mail, but may not return the form by e-mail as an original signature is required.

Although EPA uses internet websites and e-mail to distribute the blank forms, this form is not a survey instrument, and no database is necessary to aggregate results. This information is not available to the public.

5(c) Small Entity Flexibility

Not applicable

5(d) Collection Schedule

- After being nominated by an outside party or themselves, respondents are asked to Complete the Form 3110-48 (No schedule – dates are variable).
- After the initial completion of the Form 3110-48, respondents are asked to update the form annually (generally during January of each year). Respondent's confidential financial information is not made public.

6. Estimating the Burden and Cost of the Collection

6(a) Estimating Respondent Burden and Costs

(i) Estimating Burden and Labor Costs

The respondents for this information collection request are candidates who are willing to serve on EPA Federal Advisory Committees as Special Government Employees (SGE). An SGE is a person who is retained, designated, appointed, or employed to perform, with or without compensation, for a period not to exceed 130 days during any period of 365 consecutive days, temporary duties for the Federal Government either on a full-time or intermittent basis. SGEs who are currently members of EPA advisory committees must file the Form 3110-48 once a year. In addition as new candidates who wish to be considered for such service must file before they are formally appointed by the EPA Administrator or Deputy Administrator.

To respond to this ICR, we estimated that each responding SGE candidate will take one hour to complete the Form 3110-48. We anticipate that EPA will pay an estimated 2 percent increase for each successive year of the ICR. Thus, an estimated labor cost of \$54 for the first year, \$55 for the second year, and \$56 for the third year. The total for year 1 is \$16,200, year 2 is \$16, 500 and year 3 is \$16,800. We estimate that EPA will have an increase to approximately 300 members (from the current 276 advisory committee members who serve on EPA's Federal Advisory Committees (FACs) as SGEs). Multiplying the estimated number of SGE members (300) by the dollar amounts to be paid to EPA's SGEs each successive year, and multiplying the subtotal costs of each successive year by 2.0 to allow for respondent overhead costs, we estimate that the total dollar burden estimate for this ICR to be approximately \$32,400 for year 1, \$33,000 for year 2 and \$33,600 for year 3. The grand total for all 3 years is estimated at \$99,000. The total average respondent's cost over the three years is \$33,000, as indicated in the following annual respondent burden and cost table.

Annual Cost for SGE Respondents

SGE Respondent Activities to Complete Form 3110-48	Burden Hours/ Respondent	Burden for SGE Candidate (\$55 per labor hour plus \$55 for overhead equals \$110)	Number of Respondents per Year	Total Cost per Year
Total per Year	60 minutes (1 hour/100%)	\$110.00	300	\$33,000
Read Instructions	10 minutes (0.17%)	(0.17 x \$110 =) \$18.70	(\$18.70 x 300 =)	\$5,610
Fill Out Form	48 minutes (0.80%)	(0.80 x \$110 =) \$88.00	(\$88 x 300 =)	\$26,400
Prepare Envelope to Mail	2 minutes (0.03%)	(0.03 x \$110 =) \$3.30	(\$3.30 x 300 =)	\$990

(ii) Estimating Capital and Operations and Maintenance Costs

Not applicable.

(iii) Capital/Start-up Operating and Maintenance (O&M) Costs

Not applicable.

(iv) Annualizing Capital Costs

Not Applicable

6(b) Estimating Agency Burden and Cost

Annual Agency Burden and Cost

	Agency Hours	Number of Hours Per Year	Labor Cost Per Year	Overhead Cost Per Year	Subtotal Labor & Overhead Cost	Total Cost/Year
Form 3110-48						
DFO Activities For 300 Respondents	\$61 per hour					
Distribute form to SGE Nominees (respondents) and answer their questions	5 minutes (0.0833)	300	\$1,525	\$915	\$2,440	
Review and analyze data of completed form, and ask follow-up questions	45 minutes (0.75)	300	\$13,725	\$8,235	\$21,960	
Recordkeeping/storing form	5 minutes (0.0833)	300	\$1,525	\$915	\$2,440	
Forward form to EPA Ethics Staff	5 minutes (0.0833)	300	\$1,525	\$915	\$2,440	
DFO Subtotal	60 min./1 hour (1.00)	300	\$18,300	\$10,980	\$29,280	\$29,280
OGE Activities For 300 Respondents	\$66 per hour					
Review, analyze, follow-up, and approve or disapprove	60 min./1 hour (1.00)	300	\$19,800	\$11,880	\$31,680	
OGE Subtotal	60 min./1 hour (1.00)	300	\$19,800	\$11,880	\$31,680	\$31,680
EPA Grand Total (DFO & OGE)	120 min./ 2 hours 2.00	600	\$38,100	\$22,860	\$60,960	\$60,960

To respond to this ICR, we estimated that Designated Federal Officers (DFOs) spend one hour reviewing each Form 3110-48 (sometimes calling and asking for further clarification or to address areas not filled out completely). EPA currently pays an estimated labor cost of GS 14 Step 10, which in EPA's Emergency ICR (2007) was \$58.44 per hour, rounded to \$58 per hour. Anticipating a 2 percent increase for each of the next 3 years of this ICR (2008, 2009, 2010), the 3 year **average** estimated cost for the DFO is \$29,280. See chart prior to this page.

The Ethics Attorney, Office of Government Ethics in EPA labor cost is estimated to be a GS-15 Step 7, which in EPA's Emergency ICR (2007) was \$63.46, rounded to \$63 per hour at one hour per form. Anticipating a 2 percent increase for each of the next 3 years of this ICR (2008, 2009, 2010), the 3 year **average** highest estimated cost for the OGE is \$31,680. See chart prior to this page.

Both DFO and OGE total labor rates include a multiplier of 1.6 (60%) for overhead costs.

DFO Cost

EPA estimates that 300 advisory committee members will serve on EPA's Federal Advisory Committees (FACs) as SGEs over the next 3 years. Multiplying the number of SGE members (300) by the 3 year average dollar amount paid to EPA's DFOs (\$61), and multiplying the subtotal cost of \$18,300 by 1.6 (60% overhead) to allow for employee overhead costs, we estimate the subtotal to be \$29,280.

Year 1 @ \$60 for 1 hour x 300 = \$18,000 x 1.6 = \$28,800

Year 2 @ \$61 for 1 hour x 300 = \$18,300 x 1.6 = \$29,280

Year 3 @ \$62 for 1 hour x 300 = \$18,600 x 1.6 = \$29,760

OGE Cost

Multiplying the number of SGE members (300) by the dollar amount paid to EPA's OGE staff with a 3 year average cost (\$66), and multiplying the cost of \$19,800 by 1.6 (60% overhead) to allow for employee overhead costs, we estimate the subtotal to be \$31,680.

Year 1 @ \$65 for 1 hour x 300 = \$19,500 x 1.6 = \$31,200

Year 2 @ \$66 for 1 hour x 300 = \$19,800 x 1.6 = \$31,680

Year 3 @ \$67 for 1 hour x 300 = \$20,100 x 1.6 = \$32,160

Total DFO and OGE Cost Using 3 Year Average

The total 3 year average dollar burden estimate for this ICR (for both DFOs and OGE staff) is approximately **\$60,960** each year.

DFO 3 year average \$29,280 + OGE 3 year average \$31,680 = \$60,960

Agency (EPA) activities associated with the collection of information include:

Designated Federal Officers (DFOs) for each committee with Special Government Employees (SGEs), EPA Ethics staff (EPA OGE), EPA Office of General Counsel staff (EPA OGC).

- First internal EPA review and approval of Form 3110-48 (completed 2003)
- Second internal EPA review and approval of Form 3110-48 (completed 2007)

- Taking actions to review the form, ascertain improvements, and revise periodically (approximately 3 year intervals or more if needed)

Designated Federal Officers (DFOs) for each committee with Special Government Employees (SGEs)

- Providing copies of the mandatory form
- Answering any respondent questions, follow-up
- Gathering respondents completed forms
- Reviewing and analyzing data
- Recordkeeping/storing completed form
- Forwarding form to EPA's Ethics staff for review and analyzing

Office of Government Ethics Activities:

- First review and approval of Form 3110-48 (completed 2003)
- Second review and approval of Form 3110-48 (completed 2007)

OGE:

- Review Form 3110-48, follow-up if necessary, and approve or disapprove

6(c) Bottom Line Burden Hours and Cost Tables

(i) Respondent Tally

Bottom-Line Annual Burden and Cost for SGE Respondents

SGE Respondent Activities to Complete Form 3110-48	Burden Hours/ Respondent	Burden for SGE Candidate (\$55 per labor hour plus \$55 for overhead equals \$110)	Number of Respondents per Year	Total Cost per Year
Total per Year	60 minutes (1 hour/100%)	\$110.00	300	\$33,000

(ii) The Agency Tally

Bottom-Line Annual Agency Burden and Cost

	Agency Hours For Each Review	Number of Hours Per Year	Labor Cost Per Year	Overhead Cost Per Year	Total Agency Cost per Year
Agency Total (DFO & OGE) For 300 Respondents	120 min./ 2 hours 2.00	600	\$38,100	\$22,860	\$60,960

(iii) Variations in the Annual Bottom Line

Burden and Cost variations appear during each fiscal year. Variations in the number of respondents and Agency review hours/costs may also occur. The following information shows fiscal year variations for Agency costs.

DFO Cost

EPA estimates that 300 advisory committee members will serve on EPA's Federal Advisory Committees (FACs) as SGEs over the next 3 years. Multiplying the number of SGE members (300) by the 3 year average dollar amount paid to EPA's DFOs (\$61), and multiplying the subtotal cost of \$18,300 by 1.6 (60% overhead) to allow for employee overhead costs, we estimate the subtotal to be \$29,280.

Year 1 @ \$60 for 1 hour x 300 = \$18,000 x 1.6 = \$28,800

Year 2 @ \$61 for 1 hour x 300 = \$18,300 x 1.6 = \$29,280

Year 3 @ \$62 for 1 hour x 300 = \$18,600 x 1.6 = \$29,760

OGE Cost

Multiplying the number of SGE members (300) by the dollar amount paid to EPA's OGE staff with a 3 year average cost (\$66), and multiplying the cost of \$19,800 by 1.6 (60% overhead) to allow for employee overhead costs, we estimate the subtotal to be \$31,680.

Year 1 @ \$65 for 1 hour x 300 = \$19,500 x 1.6 = \$31,200

Year 2 @ \$66 for 1 hour x 300 = \$19,800 x 1.6 = \$31,680

Year 3 @ \$67 for 1 hour x 300 = \$20,100 x 1.6 = \$32,160

6(f) Reasons for Change in Burden

During the 3 year span of this ICR, EPA expects to see some growth in the number of federal advisory committees and small cost increases due to EPA staff salary increases.

6(g) Burden Statement

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average one hour per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OA-2007-0933, which is available for online viewing at www.regulations.gov, or in person viewing at the Office of Environmental Information Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Office of Environmental Information Docket is (202) 566-9744. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OA-2007-0933 and OMB Control Number 2090-0029 in any correspondence.