

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
9000-0139, FEDERAL ACQUISITION AND COMMUNITY RIGHT-TO-KNOW**

A. Justification

- 1. Administrative requirements.** FAR Subpart 23.9 and its associated solicitation provision and contract clause implement the requirements of E.O. 13148 of April 21, 2000, published in the Federal Register at 65 FR 24595, April 26, 2000. "Greening the Government through Leadership in Environmental Management." The FAR coverage requires offerors, except for acquisitions of commercial items as defined in FAR Part 2, in competitive acquisitions over \$100,000 (including options) and competitive 8(a) contracts, to certify that they will comply with applicable toxic chemical release reporting requirements of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11001-11050) and the Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109).
- 2. Uses of information.** The certification will be used by the contracting officer to determine whether the respondent is eligible for award of a contract. Also, the contractor notification to the contracting officer of a change in an exemption taken under the aforementioned certification will be used to assist EPA, as required, and take other appropriate action including terminating the contract.
- 3. Consideration of information technology.** We use improved information technology to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, the contractors may submit this information collection requirement electronically
- 4. Efforts to identify duplication.** This requirement is being issued under the Federal Acquisition Regulation (FAR) which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.
- 5. If the collection of information impacts small businesses or other entities, describe methods used to minimize burden.** The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.
- 6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.** Collection of information on a basis other than solicitation-by-solicitation is not practical.
- 7. Special circumstances for collection.** Collection is generally consistent with guidelines in 5 CFR 1320.6.
- 8. Efforts to consult with person outside the agency.** Under the procedures established for development of the FAR, agency and public comments were solicited. A notice published in the *Federal Register* at 73 FR 56561, September 29, 2008, made this requirement available to the public and requested comments. No major problems regarding this requirement were reported.

9. **Explanation of any decision to provide any payment or gift to respondents, other than reenumeration of contractors or guarantees.** Not applicable.

10. **Describe assurance of confidentiality provided to respondents.** This information will be disclosed only to the extent consistent with prudent business practices and current regulatory and statutory requirements.

11. **Additional justification for questions of a sensitive nature.** No sensitive questions are involved.

12 & 13. **Estimated total annual public hours and cost burden.** Time required to read and prepare information is estimated at 0.50 hours per completion.

Number of respondents.....	167,487
Number of responses per respondent per yr.....	<u>x 1</u>
Total annual responses.....	167,487
Preparation time per response.....	<u>x 0.50</u>
Total burden hours.....	83,744
Average wages (\$24 + 75% OH).....	<u>x \$42</u>
Estimated cost to the public.....	\$3,517,248

14. **Estimated cost to the Government.** The time required for Government review is approximately 5 minutes per response.

Total annual responses.....	167,487
Review time per response.....	<u>x0.083</u>
Total burden hours.....	13,901
Average wages (\$20 + 100% OH).....	<u>x \$40</u>
Total Government cost (\$20/hr + 100% OH).....	\$556,040

15. **Explain reasons for program changes or adjustments reported in Item 13 or 14.** This submission requests an extension of OMB approval of an information collection requirement in the FAR. The information in the FAR remains unchanged.

16. **Outline plans for published results of information collections.** Results will not be tabulated or published.

17. **Approval not to display expiration date.** Not applicable.

18. **Explanation of exception to certification statement.** Not applicable.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.

