

**Supporting Statement A for Paperwork Reduction Act Submissions**  
**OMB Control Number 1028-0059**

**Comprehensive Test Ban Treaty (1 form: 9-4040-A)**

Terms of Clearance: None

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.**

***The authorities for this collection are:***

*National Materials and Minerals Policy, Research and Development Act of 1980 (Public Law 96-479)*  
*Defense Production Act of 1950 (Public Law 81-774)*

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

Compliance with the Treaty will be monitored by several technologies, including a global network of seismic recording stations which can detect and locate large mining blasts. In order to reduce the possibility that a large mining blast in this country might become the target of suspicion, the United States supports provisions of the Treaty that call for voluntary exchange of information on mining blasts over 300 tons TNT-equivalent. Since U.S. policy is to act as if the Treaty is in effect, the U.S. Geological Survey (USGS) has negotiated a Memorandum of Agreement (MOA) in 1997 with the U.S. Department of Defense (DOD) to provide the DOD with information on chemical explosions in the commercial sector (see Enclosure 2). According to the terms of the MOA, the Agreement remains in-force since the United States remains a signatory to the CTBT. The DOD is the sole client for this information.

The responsibilities to collect, monitor, and publish explosives information was transferred to the USGS in 1996 (after the U.S. Bureau of Mines (USBM) was abolished). Collection of nonfuel minerals

information is authorized by the National Materials and Minerals Policy, Research and Development Act of 1980 (Public Law 96-479) and the Defense Production Act of 1950 (Public Law 81-774).

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]**

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

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

On-line electronic forms are currently available to authenticated users asked to respond who provide a valid user id and password. We expect that 9.2% of the universe will continue to respond electronically. Paper forms will remain an option for submission of responses because not all industry respondents are able to or wish to transmit their data to the USGS by electronic means.

The electronic forms conversion effort continues to fulfill the Government Paperwork Elimination Act (GPEA) requirements by maintaining intelligent links between the electronic forms and the database.

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

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

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

The canvass form is designed to minimize the burden to all respondents of which about 15% are small businesses. Only essential data are requested in a format common to the reporting industry. When applicable, small businesses often respond with fewer data entries than the larger organizations.

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

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

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner: (i) requiring respondents to report more often than quarterly, (ii) requiring respondents prepare written responses in fewer than 30 days after receipt, (iii) requiring respondents to submit more than an original and two copies of any document, (iv) retain records for more than 3 years; (v) 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; (vi) the use of a statistical data classification that has not been reviewed and approved by OMB; (vii) that includes a pledge of confidentiality not supported by authority established in statute or regulation; requiring respondents to submit proprietary trade secrets or other confidential information.**

No special circumstances exist.

**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.**

On November 9, 2009, a 60-day Federal Register notice (74 FR 57698) was published

announcing this information collection. Public comments were solicited for 60 days ending January 8, 2010. We did not receive any public comments in response to that notice.

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

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

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

When persons outside the USGS submit requests for information, the USGS mineral commodity specialists and statistical assistants respond in a timely manner. The USGS receives and responds to several thousand e-mail and telephone inquiries each month. During these discussions and interactions, views are exchanged on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, reporting format, data elements to be recorded, disclosed, or reported, burden estimates and other aspects of this Information Collection. These views help the USGS to improve its data and publications.

Within the last 3-year Office of Management and Budget approval period for this Collection, no changes to the collection instrument were made. The list below identifies industry contacts consulted on the burden estimates and other aspects of this Information Collection:

CalPortland Company  
Edward Harrison, Chief Mining Engineer  
Glendora, CA  
Date of contact: January 6, 2010

Lannon Stone Products, Inc.  
Jim Dawson, Chief Financial Officer  
Lannon, WI  
Date of contact: January 6, 2010

Cotter Corporation  
Glen Williams, Vice President of Mining  
Nucla, CO  
Date of contact: January 6, 2010

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

No payments or gifts are made to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the**

**assurance in statute, regulation, or agency policy.**

Public Law 96-479, Section 5(3) (f), ensures the confidentiality of all data reported by persons or firms engaged in any phase of mineral or mineral-material production or large-scale consumption.

To implement Section 5(3) (f), the USGS withholds all data reported as “Company Proprietary Data,” and such data will be disclosed only to the DOD and to Congress upon official request for appropriate purposes. Except in response to requests by Congress or by Federal defense agencies, proprietary data will never be disclosed without the specific permission of the company as represented in the disclosure query. The disclosure statement and query are printed on each canvass form.

The USGS standard for handling proprietary canvass data further discusses protections for USGS proprietary data including penalties associated with violations.

**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.**

This collection does not ask for information of a sensitive nature.

**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.**

**\* Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Variations can be expected in the reporting burden for completion of these forms because of the

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

We estimate the total annual burden for this collection of information (includes the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information) to be approximately 525 hours (Table 1). Approximately 2,100 respondents will report data annually. For the 2,100 associated responses, the average completion time is 15 minutes for USGS Form 9-4040-A.

**Table 1. Consolidated estimates of burden**

		PRIVATE SECTOR			
Form No.	Frequency	Number of Respondents	Responses	Completion Time	Burden Hours
9-4040-A	Annually	2,100	2,100	15 min	525
TOTALS		2,100	2,100		525

The estimated dollar value of the burden hours for this collection takes into account the nature of our respondents. We estimate the total dollar value of this collection to be \$14,558 (Table 2). We arrived at this figure by multiplying the estimated burden hours 525 by \$27.73 (for the private sector). This wage figure included benefits and is based on the National Compensation Survey: Occupational Wages in the United States March 2010 published by the Bureau of Labor Statistics (BLS) Occupation and Wages, (BLS news release USDL-10-0774 for Employer Costs for Employee Compensation—March 2010 at - <http://www.bls.gov/news.release/pdf/ecec.pdf>), dated June 9, 2010).

**Table 2: Estimated Dollar Value of Respondent Annual Burden Hours**

Activity	Sector	Annual Number of Responses	Total Annual Burden Hours	Dollar Value of Burden Hours (Including Benefits)	Total Dollar Value of Annual Burden Hours
Completing canvass forms	Private	2,100	525	\$27.73	\$14,558

**13. Provide an estimate of the total annual [non-hour] cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

There is no non-hour cost burden, recordkeeping nor any fees associated with collection of this information.

**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.**

The total annual cost to the Federal Government is \$45,190. This includes the operational expenses (\$15,000) and cost to the Federal Government for salaries and benefits for administering this information collection (\$30,190). Operational expenses include mailing, overhead, printing, processing and non-Federal support staff (Table 3).

**Table 3. Annualized Operational Expenses and estimated costs**

Operational Expenses	Estimated Cost
Printing of canvass forms	\$100
Mailing lists compilation and maintenance	\$900
Mailing operation	\$2,300
Editing, coding, tabulation	\$4,900
ADP processing	\$4,100
Electronic publication of results	\$400
Government Printing Office print costs for 2 Federal Register Notices	\$1,300
Electronic forms development and maintenance	\$1,000
<b>Total</b>	<b>\$15,000</b>

The total estimated cost to the Federal Government for processing and reviewing information received as a result of this collection is \$30,190 (Table 4). This includes Federal employee salaries and benefits. The table below shows Federal staff and grade levels performing various tasks associated with this information collection. We used the Office of Personnel Management Salary Table 2010-DCB ([http://www.opm.gov/flsa/oca/10tables/pdf/dcb\\_h.pdf](http://www.opm.gov/flsa/oca/10tables/pdf/dcb_h.pdf)) to determine the hourly rate. We multiplied the hourly rate by 1.5 to account for benefits (as implied by the BLS news release USDL-10-10-0774).

**Table 4. Federal Employee Salaries and Benefits**

Position	Grade/ Step	Hourly Rate	Hourly Rate incl. benefits (1.5 x hourly pay rate)	Estimated time spent by Federal Employees (annualized hours)	Estimated Federal employee salary/benefit annualized costs
Commodity Specialist	GS-13/8	\$52.61	\$78.92	130	\$10,260

Position	Grade/ Step	Hourly Rate	Hourly Rate incl. benefits (1.5 x hourly pay rate)	Estimated time spent by Federal Employees (annualized hours)	Estimated Federal employee salary/benefit annualized costs
Statistical Assistants	GS-6/3	\$19.41	\$29.12	430	\$12,522
Computer Specialist	GS-13/8	\$52.61	\$78.92	50	\$3,946
Minerals Records Administrator	GS-12/8	\$44.25	\$66.38	10	\$664
Management	GS-14/8	\$62.17	\$93.26	30	\$2,798
<b>TOTAL</b>					<b>\$30,190</b>

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

We estimate that there will be 2,100 responses totaling 525 burden hours. This is a net decrease of 900 responses and 225 burden hours from our previous request of 3,000 responses and 750 burden hours.

The difference represents an adjustment where we fine-tuned the number of respondents based on our experience in administering this collection along with the types of respondent feedback, discussions, and interactions as described in our answer to Question 8.

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

The results of this collection of information will not be published.

**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.**

We will display the OMB control number and expiration date on the single form in this collection.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions."**

There are no exceptions to the certification statement.