

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement - Information Collection Request

OMB Control Number 1513-0023

TTB F 5000.29 - Environmental Information

TTB F 5000.30 - Supplemental Information on Water Quality Considerations –
Under 33 U.S.C. 1341(a)

A. Justification

1. What are the circumstances that make this collection of information necessary and what legal or administrative requirements necessitate the collection? Also include the following: Align the information collection to Treasury's Strategic Goals, Line of Business/Sub-function, and IT Investment, if one is used.

TTB has developed these two environmental forms in order to comply with the provisions of the National Environmental Policy Act, 42 U.S.C. 4332 (TTB F 5000.29) and the Clean Water Act, 33 U.S.C. 1341(a) (TTB F 5000.30). Implementing regulations are found in 40 CFR 1500.6 (42 U.S.C. 4332) and 40 CFR 123.3 (33 U.S.C. 1341).

For this submission, TTB is requesting approval to use an electronic version of these forms in a new system, Permits ON Line (PONL). PONL will allow for the electronic submission of these forms.

This information collection is aligned with:

Treasury Strategic Goal: U.S. World Economies Perform at Full Performance Potential.

Line of Business/Sub-function: Law Enforcement/Substance Control.

IT Investment: Tax Major Application Systems.

2. How, by whom and for what purpose is this information used?

Information regarding solid and liquid waste, air and noise pollution, etc. as collected on TTB F 5000.29 is evaluated to determine if a formal environmental impact statement or an environmental permit is necessary for a proposed operation. This environmental type information is collected from manufacturers, namely distilled spirits plants, wineries, breweries, and tobacco products factories.

TTB F 5000.30 is also submitted by manufacturers who discharge something into navigable waters. Applicants are required to describe any biological, chemical, thermal, or other characteristic of the discharge as well as any methods or equipment used to monitor the condition of the discharge. Based upon this data, TTB makes a determination as to whether a certification or waiver by the applicable State water quality agency is required.

Should a manufacturer be required to submit both forms (TTB F 5000.29 and 5000.30) he/she may incorporate by reference any redundant information especially regarding solid and liquid waste.

3. To what extent does this collection of information involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology? What consideration is given to use information technology to reduce burden?

These collections of information are being included in a new system, PONL, that allows for the electronic submission of applications and all of the supplementary forms that are needed to apply for a permit. The electronic submission of these forms will reduce the burden on applicants that currently complete these forms then download and mail them to TTB.

TTB will continue to approve, on a case-by-case basis, the use of improved information technology.

4. What efforts are used to identify duplication? Why can't any similar information already available be used or modified for use for the purposes described in Item 2 above?

TTB F 5000.29 and TTB F 5000.30 collect information that is pertinent to each respondent and applicable to the specific operations of each applicant. As far as we can determine, similar information is not available any where else.

5. If this collection of information impacts small businesses or other small entities, what methods are used to minimize burden?

To ensure compliance with environmental laws all entities, regardless of size, are required to complete these forms. TTB would not be able to ensure compliance with environmental laws if it waived the requirement to submit this information based on the size of the permittee's business. Specifically, 33 U.S.C. 1341(a) applies to any business.

6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?

If this information were not collected on TTB F 5000.29, TTB might inadvertently issue an operating permit to a manufacturer who could excessively pollute the air because of his/her solid waste disposal or heat and power generating equipment or could perhaps excessively create a large amount of disturbing noise.

If this information were not collected on TTB F 5000.30, TTB might inadvertently issue an operating permit to a manufacturer who could create a potentially hazardous water pollution situation such as a chemical discharge which would endanger both human and marine life.

In both circumstances, there would be risks to violations of 42 U.S.C. 4332 and/or 33 U.S.C. 1341(a).

7. Are there any special circumstances associated with this information collection that would require it to be conducted in a manner inconsistent with OMB guidelines?

There are no special circumstances associated with this information collection.

8. What effort was made to notify the general public about this collection of information? Summarize the public comments that were received and describe the action taken by the agency in response to those comments.

A 60-day Federal Register notice was published for this information collection on Friday, April 25, 2008, 73 FR 22462. The notice solicited comments from the general public. TTB received no comments.

9. What decision was made to provide any payment or gift to respondents, other than reenumeration of contractors or grantees?

No payment or gift is associated with this collection.

10. What assurance of confidentiality was provided to respondents and what was the basis for the assurance in statute, regulations, or agency policy?

No specific assurance of confidentiality is provided on these forms; however, the confidentiality of certain information collected on these forms may be protected under the exemptions provided in 5 U.S.C. 552.

11. What justification is there for questions of a sensitive nature?

No questions of a sensitive nature are asked.

12. What is the estimated hour burden of this collection of information?

The number of respondents (8,000) and the number of forms filed annually (1) are based on historical data provided by field personnel who process these forms. The estimated average number of hours per response (.5) is based on information provided by respondents. Total burden hours are 4,000. However, with the introduction of PONL, TTB predicts that there will be a slight decrease of 100 hours.

Paper submissions: 7,600 (respondents) X 1 (annual submissions) = 7,600 (responses) X 30 minutes (time to complete form) = 3,800 (burden hours)

PONL submissions: 400 (respondents - 1st 12 months) X 1 (annual submissions) = 400 (responses) X 15 minutes (time to complete form) = 100 (burden hours)

Total Burden Hours: 3,800 (Paper) + 100 (PONL) = 3,900.

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information (excluding the value of the burden hours in Question 12 above?)

There is no cost associated with this collection.

14. What is the annualized cost to the Federal Government?

Estimates of annual cost to the Federal Government are as follows:

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|--|----------------|
| Printing | \$ 308 |
| Distribution | \$ 253 |
| Clerical Cost | \$1,606 |
| Other Salary (review, <u>supervisory, etc.)</u> | <u>\$3,674</u> |
| Total | \$5,841 |

15. What is the reason for any program changes or adjustments?

There is a program change associated with this collection. These forms are included in a new system, PONL, that will slightly decrease the burden in the 1st 12 months of introduction because of the reduction in the time it takes to complete and submit these forms using the new PONL system.

16. Outline plans for tabulation and publication for collections of information whose results will be published.

The results of this collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of this information collection, what are the reasons that the display would be inappropriate?

We will display the expiration date of OMB approval for this collection.

18. What are the exceptions to the certification statement?

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.