Supporting Statement
Quarantine for Hawaii and
United States Territories
0579-0198

A. JUSTIFICATION April 2012

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The United States Department of Agriculture (USDA) is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible. The Plant Protection Act authorizes the Department to carry out this mission.

Under the Plant Protection Act (7 U.S.C. 7701 – et seq), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States.

Plant Protection and Quarantine (PPQ), a program within USDA's Animal and Plant Health Inspection Service (APHIS), is responsible for implementing this Act and does so through the enforcement of APHIS' Hawaiian and Territorial Quarantine Regulations, contained in Part 318 of Title 7, Code of Federal Regulations (CFR).

Hawaiian and territorial quarantines are necessary to prevent the spread of dangerous plant diseases and pests, including the Mediterranean fruit fly, the melon fly the oriental fruit fly, green coffee scale, the bean pod borer, and other plant pests which are new to or not known to be widely prevalent or distributed within and throughout other States.

Implementing APHIS' quarantines often requires APHIS to collect information from a variety of individuals who are involved in growing, packing, handling, transporting, and exporting plants and plant products. The information APHIS collects serves as the supporting documentation required for the issuance of PPQ forms and documents that authorize the movement of regulated articles, and, is vital in helping APHIS ensure that injurious plant diseases and insect pests do not spread within the United States.

APHIS is asking OMB to approve its use of this information collection in connection with its program in growing, packing, handling transporting, and exporting plant and plant products.

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.

APHIS uses the following information activities to prevent the injurious spread of dangerous plant diseases and insect pests from spreading within the United States.

PPQ Form 530 (Inspection to issue Limited Permit): Limited permits are used to authorize movement of regulated articles that are not certifiable to specified destinations for processing, treatment, or utilization.

This document is used to authorize the movement of regulated articles to a specified destination and allows further inspection at destination. The decision to perform further inspections will be made by the State plant protection official in the host State. The decision to inspect is prompted by date of issuance and results of inspection prior to transport.

Information is collected from growers, packers, shippers, and exporters of regulated articles to ensure that the articles, when moved from a quarantined area, do not harbor injurious plant diseases and insect pests.

PPQ officials, State plant health authorities, and other cooperators conducting regulatory activities in connection with various quarantines, collect information in various ways. Information is collected by interviewing growers and shippers at the time the inspections are conducted and by having growers and shippers of plants and plant products for export complete an application for a transit permit. The information obtained is used to determine compliance with regulations and for issuance of forms, permits, certificates, and other required documents.

PPQ Form 519 (Compliance Agreement) - The compliance agreement specifies procedures and precautions that the grower, handler, or mover must follow to prevent the spread of insect pests and diseases from spreading to non-infested areas of the United States. By signing a compliance agreement with APHIS, the applicant agrees to comply with the prescribed regulations and stipulations when moving or treated regulated items. The stipulations vary from program to program, and even type of establishment to establishment and are usually thought out in advance prior to contact with the establishments. The time involved with the respondent depends upon the number of complexity of the stipulations written for the specific type of establishment.

Inspections of Production Area - The grower's production area must be inspected annually by an inspector and found free of green scale. If green scale is found during an inspection, a 2-month ban will be placed on the interstate movement of cut plants from the production area. Near the end of the 2 months, an inspector will reinspect the grower's production area to determine whether green scale is present. If reinspection determines that the production area is free of green scale, shipping may resume. If reinspection determines that green scale is still present in the production area, another

2-month ban on shipping will be placed on the interstate movement of gardenias from that production area. Each ban will be followed by reinspection in the manner specified, and the production area must be found free of green scale prior to interstate movement.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.

PPQ Form 530 (Limited Permit) - This is a pressure sensitive form and is not practicable for automation.

PPQ Form 519 (**Compliance Agreement**) is automated and posted at www.aphis.usda.gov/library/forms/pdf/ppq519.pdf . This form can be printed and manually completed.

Any person requesting approval for a treatment facility can do so by generating a letter on a computer if the respondent has access to one.

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

The information APHIS collects is exclusive to its mission of preventing the incursion or interstate spread of plant pests, diseases, and noxious weeds and is not available from any other source.

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

APHIS has no small entities involved with this information collection.

6. Describe the consequences 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.

If APHIS did not collect this information or collected it less frequently, the effectiveness of APHIS' Hawaiian and territorial quarantine programs would be severely compromised. This would likely result in the interstate spread of a number of destructive (and economically damaging) agricultural pests. The spread of such pests as the melon

fruit fly and the oriental fruit fly would result in millions of dollars in damage to American agriculture.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

- **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;**

Facilities that carry out continual irradiation operations must notify an inspector at least 24 hours before the date of operations.

Any person whose limited permit or compliance agreement has been withdrawn may appeal the decision in writing to the Administrator within 10 days after receiving the written notification of the withdrawal.

- **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 secret, 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.

No other special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5

8. 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 form, and on the data elements to be recorded, disclosed, or reported. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, soliciting comments on the information collection prior to submission to OMB.

The following individuals were consulted during 2011:

B.L. Curry and Sons Incorporated
Jeff Curry
1014 East Sixth Street
New Albany, Indiana 47150
Phone: 812-945-6623

G.R. Wood/American Timbers
Dan Harris
260 Park Drive
Mooresville, Indiana 46158
Phone: 317-831-8060

Amos Hill Associates
Bill Costoplos
112 Shelby Avenue
Edinburgh, Indiana 46124
Phone: 812-526-2671

On Thursday, October 20, 2011, pages 65164-65165, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year renewal of this collection of information. No comments from the public were received.

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

This information collection activity involves no payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in stature, regulation, or agency policy.

No additional assurance of confidentiality is provided with this information collection. Any and all information obtained in this collection shall not be disclosed except in accordance with 5 U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and others that are 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 information collection activity asks no questions of a personal or sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.

See APHIS Form 71 for hour burden estimates.

. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

3,096 X 27.93 = $86,471.28

$27.93 is the hourly rate (based on the average salary of businesses, foreign officials, and State plant regulatory officials) derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2009 Report – Occupational Employment and Wages in the United States.

13. Provide estimates of the total annual 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 estimates 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.

There is zero annual cost burden associated with capital and start-up, operation and maintenance, and purchase of services in connection with this program.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The estimated cost to the Federal Government is $22,092. (See APHIS Form 79)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

ICR Summary of Burden:

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	4,200	0	0	-8,342	0	12,542
Annual Time Burden (Hr)	3,096	0	0	2,108	0	988
Annual Cost Burden ($)	0	0	0	0	0	0

The number of respondents decreased from 1,129 to 110 and the annual responses decreased from 12,542 to 4,200. These decreases are due to the downturn in the economy and the removal of twelve collection activities from this submission. The burden for these activities are accounted for in collections 0281, Treatments of Fruits and Vegetables, and 0346, Revision of the Hawaiian and Territorial Fruits and Vegetables Regulations. These two factors (the downturn in economy and the transfer of the 12 activities to the other two collections) accounted for these reductions.

However, the burden hours increased by 2,108 hours due to a very low projection in the number of responses per shipment in the last submission. The updated burden figures are based on conversations with the PPQ Program Specialist and discussions with tropical growers in the United States.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to tabulate or publish the information it collects.

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.

PPQ Form 530 is used in 7 information collections, and PPQ 519 is used in 12 information collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each collection. APHIS is seeking approval to not display the OMB expiration date on these forms.

18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act."

APHIS certifies compliance with all the provisions under the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.