Supporting Statement A

Nomination and Request for Payment Form for OSM Technical Training Courses (OSM Form 105)

OMB Control Number 1029-0120

Terms of clearance: None

Introduction

This information collection clearance package is being submitted by the Office of Surface Mining Reclamation and Enforcement (OSM) for the renewed authority to collect information from non-Federal personnel in order that they may participate in OSM's National Technical Training Program courses. The nomination and payment form records information which assists in determining if the course is appropriate for the nominee's needs and estimates the nominee's cost to the program. OSM is currently using separate forms, form OSM 105 for course nominations, and form OSM 140 for payment of travel and per diem costs. This collection request will consolidate the two forms into one. The Office of Management and Budget (OMB) has assigned this collection control number 1029-0120.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question "Does this ICR contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

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

   The Office of Surface Mining Reclamation and Enforcement's (OSM) Technical Training Form OSM 105 – Nomination and Request for Payment Form for OSM Technical Training Courses is used to gather such basic information as name, address, office address, course title, and travel information. The form also assists in determining whether the nominee is applying for a course appropriate for their job and skill levels. The form is necessary to approximate the cost to OSM of each student and to determine if the nominee is using the most efficient and least expensive mode of transportation.

Authority for the form is found in Section 102 of the Surface Mining Control and Reclamation Act (SMCRA) which provides for the training of personnel in the States. In addition, our annual appropriations language authorizes payment for the travel and per diem expenses of State and Tribal personnel attending OSM-sponsored training.

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.*

OSM is seeking renewed authority for the collection of the information on this form. The information collected is used to identify and evaluate the requested training courses as they pertain to each individual student. The intent of OSM's training program is to enhance students' current job performance. Therefore, it is important for OSM to determine the appropriateness of the courses so they meet the needs of students and their employers, which are State and Tribal regulatory and reclamation authorities. The information on the form is also used to record the student's name and course selection in a database in order to avoid students' repeating the same course, thus eliminating unnecessary spending. A limited budget requires that the travel and per diem part of the form be used to help OSM determine the number of students who can participate in its technical training program.

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.*

Once approved by OMB, this form will be available through OSM's National Technical Training Program's home page (http://www.tips.osmre.gov/training/tips_html/links_nttp.htm). States and Tribes may download the form, complete it electronically, scan it, then e-mail, or fax it to OSM for review and processing. Currently, approximately 90% of the forms are submitted electronically.

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.

OSM maintains a database of nominees and their course selections which can be queried to avoid duplication. This form assists OSM in determining the nominee's applicability to take the course; and is used to tally the number of nominees requesting a specific course and the estimated cost for each student. Similar information does not exist elsewhere and there is no duplication.

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

   There is no special burden assigned to small entities. The forms are filled out by either the student or supervisor.

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.*

   Without this information collection, OSM would not be able to schedule the appropriate number of classes or select instructors or to estimate costs for the year. This collection is completed once per student per class.

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner:*
   **   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;*
   **   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 secrets, 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.*

These collections are conducted in conformance with the provisions of 5 CFR 1320.5(d)(2).

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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three 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.

OSM requires the form to be completed by each nominee per class.

OSM receives the nomination and payment form from students early in the Fiscal Year. The nomination-portion of the form is used to calculate the type and number of classes and instructors needed to complete its technical training mission. The travel and per diem questions on the form permit OSM to estimate costs and evaluate the mode and cost of transportation.

In November, 2012, OSM contacted four participants who completed the nomination and per diem and travel form:

Melvin Yazzie
Senior Reclamation Specialist
Navajo Nation – AML
1 Uranium Blvd. P.O. Box 3605
Shiprock, New Mexico 87420
(505) 368-1224

Carla Lightsey
Alabama Surface Mining Commission
First Federal Bank Building
1811 2nd Avenue, 2nd Floor
Jasper, Alabama 35501

(205) 221-4130

Susan Kozak
Environmental Specialist
Iowa Department of Agriculture
502 E. 9th Street
Des Moines, Iowa 50319
(515) 242-5003

Beth Guthrie
OSM/Charleston Field Office
1027 Virginia Street East
Charleston, West Virginia 25301
(304) 347-7162 Ext. 3012

None of the individuals contacted expressed concerns or complaints with the reporting requirements of the form and each person indicated that the time required to complete and send the form was about 5 minutes for each form.

On December 11, 2012, OSM published in the Federal Register (77 FR 73673) a notice requesting comments from the public regarding the need for the collection of information, the accuracy of the burden estimate, ways to enhance the information collection, and ways to minimize the burden on respondents. This notice gave the public 60 days in which to comment. However, no comments were received.

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

OSM provides approximately 50% of all State and Tribal funding. Further, OSM pays for all OSM-sponsored training, travel, lodging and meals for each student.

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

Respondents are informed by cover letter that their responses will remain anonymous. Neither their names nor other identifying information are divulged.

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.*

No questions of a sensitive nature are asked.

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.*

a. Estimated Burden to Respondents.

944 nominees from States and Tribes applied for courses in 2012. The four participants polled estimate that the form should require approximately 5 minutes, on average, to complete. Therefore,

944 respondents x 5 minutes x 1 form = 79 hours.

b. Estimated Cost to Respondents.

OSM estimates that the average State/Tribal employee attending an OSM training class will earn $28.76 an hour for a geoscientist. (The wage cost is derived from http://www.bls.gov/oes/2008/may/naics4_999200.htm). With benefits calculated as a factor of 1.5 of wages as described by Bureau of Labor Statistics news release USDL 12-1830, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—JUNE 2012, http://www.bls.gov/news.release/pdf/ecec.pdf), the hourly cost for a typical State/Tribal employee attending an OSM training class would be $43.14. Therefore, the cost to each respondent to prepare the form is $3.60 (rounded) ($43.14 x 5 minutes/60 minutes).

The total costs to all respondents to complete this form is $43.14 x 79 hours = $3,408 (rounded).

13. *Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the*

cost of any hour burden already reflected in item 12.)
** The cost estimate 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. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.*
** If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.*
** Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.*

<u>Non-Wage Costs.</u>

Not applicable. Forms are e-mailed or faxed, so there is no cost incurred to respondents beyond that already indicated in item 12 above.

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.

<u>Estimated Cost to Federal Government.</u>

OSM received 944 responses, requiring one person 15 minutes to process the form. Therefore, 944 x 15 minutes x 1 forms = 236 hours (rounded). A GS 9 step 5 Federal employee in Washington, DC, will process the form. The hourly wage is $28.04 per the Office of Personnel Management (http://www.opm.gov/oca/12tables/html/dcb_h.asp), or $36.45 per hour plus the 1.3 multiplier for benefits, per hour when including benefits at a rate of 1.3 of salary which is derived using OSM's Financial and Business Management System. Therefore, the cost to the Federal government is approximately $8,602 (rounded) ($36.45 x 236 hours).

15. *Explain the reasons for any program changes or adjustments in hour or cost burden.*

OSM is requesting an increase in burden for this collection of 6 hours due to a modest increase in use. OSM is now seeking OMB approval for 79 hours for this collection of information. Therefore, the burden will change as follows:

73 hours currently approved by OMB
+ 6 hours due to an adjustment
79 hours requested

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.*

There are no plans for publication of this information. The information is for internal use only.

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.*

OSM will display the OMB approval number and expiration date on the form.

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

Not applicable. There are no exceptions to the certification statement. This collection complies with the certification statement.