

**Supporting Statement  
Office of Health, Safety and Security  
Human Reliability Program  
OMB Control Number 1910-5122**

**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 information collection.**

This package contains information collections that are used by the Departmental management to exercise management oversight and control over their contractors [management and operating (M&O) contractors of DOE's Government-owned contractor-operated (GOCO) facilities and offsite contractors]. The contractor management oversight and control function concerns the ways in which DOE contractors provide goods and services for DOE organizations and activities in accordance with the terms of their contracts; the applicable statutory, regulatory and mission support requirements of the Department; and regulations in the functional area covered by this package.

Prior to 1983, under the previous interpretation of the Paperwork Reduction Act by the Department, information collections from contractors were considered to be outside the coverage of the Act. However, the issuance of 5 CFR 1320, "Controlling Paperwork Burdens on the Public" changed this situation by including the operations of GOCO facilities under 5 CFR 1320.7(n). This new requirement necessitated the identification and clearance of these contractor-related information collections. The various information collections dealing with the functional area named in the package title are grouped in this package and are managed by the DOE organization responsible for this functional area.

The basic authority for these collections is the statute establishing the Department of Energy ("Department of Energy Organization Act", Public Law 95-91, of August 4, 1977) which vests the Secretary of Energy with the executive direction and management functions, authority and responsibilities for the Department, including contract management. The provisions of 42 U.S.C. 7254 states that "The Secretary is authorized to prescribe such procedural and administrative rules as he may deem necessary or appropriate to administer and manage the functions now or hereafter vested in him"; and 42 U.S.C. 7256(a) "the Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons, and to make such payments (in lump sum or installments, and by way of advance or reimbursement) as he may deem to be necessary or appropriate to carry out functions now or hereafter vested in the Secretary."

It should be noted that the costs incurred by DOE contractors in providing the information collections in this package are recovered in their contract fees and payments. In this sense, they differ from information collections imposed on the general public for which no cost

reimbursement is provided. In addition, M&O contractors provide input concerning information collection requirements during contract negotiation. In this regard, they have agreed that the resulting information collections are required for the administration of these contracts and are accepted as a normal business practice. Finally, DOE is most interested in keeping the reporting burden at a minimum to reduce expenditures. Therefore, only basic management and program-type information is collected from contractors to properly manage these contracts and carry out the myriad statutory and other missions of the Department requiring contractor support.

**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**

As noted above, the information obtained from DOE contractors by these information collections is used by Departmental management at the appropriate levels to manage the contracts concerned in the best interests of the Department and the Federal Government. It is obvious that to adequately accomplish this function, certain basic management and program-type information must be collected from contractors. If these collections were not made, it would become very difficult, if not impossible, to properly manage these contracts and carry out the statutory and other missions of the Department requiring contractor support.

**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.**

Within existing budget and resource constraints, Department program managers and contractors continually work to apply the latest appropriate-level information technology (hardware and software) to reduce the contractors' information collection burden and improve the timeliness and usefulness of the management information being collected. This includes automation of previously manual processes where appropriate. The forms included in this information collection request primarily require only individuals' signatures and date information. Therefore, the information is not suitable for collection in an automated or electronic format.

**4. Describe efforts to identify duplication.**

Since the collections contained in this package are applicable only to the DOE internal program for which the information is collected, meaningful duplication of these collections in other agencies is unlikely.

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

The impact of the collection of information from small businesses is considered in the development of the contract requirements and documents and is minimized to the extent permitted by applicable statutory requirements and other legal and management constraints.

**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 frequency of collection is dictated by sound management practices, external laws and regulations, requirements of interagency reports, and Departmental orders and requirements. When any of these conditions change to permit reduction of the frequency of information collections, the reduction is made and the contract documents are changed accordingly.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines. (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to product valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in stature of 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; (h) 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.**

There are none. The package is consistent with OMB guidelines.

**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 320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE 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 report.**

The Department published a 60-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register on December 4, 2012, Volume 77, Number 233, page number 71787. The notice described the collection and invited interested parties to

submit comments or recommendations regarding the collection. No comments were received.

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

No payment or gift to respondents is being proposed under this information collection

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

Where sensitive and/or confidential information is involved in an information collection, the provisions for dealing with this confidential information are set forth in the contract documents and the related Departmental regulations and are normal to the handling of management and program information by the Department to include:

- 10 CFR Part 707: Workplace Substance Abuse Programs at DOE
- 10 CFR Part 709: Polygraph Examination Regulations
- 10 CFR Part 710, Subpart A: General Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material
- 10 CFR Part 712: Human Reliability Program (HRP)
- 49 CFR Part 40, Subparts J through N: Procedures for Transportation Workplace Drug and Alcohol Testing Programs
- DOE Order 3792.3: Drug Free Federal Workplace Testing Implementation Program

**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 DOE 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 does not collect information pertaining to sexual behavior, attitudes, and religious beliefs. There are no collections in this package which involve questions of a sensitive, personal, or private 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, DOE should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.**

The estimated burden hours are the sum of the burden reported by Departmental elements and field organizations as compiled from their respective contractors or estimated by expert personnel familiar with these collections. The recordkeeping tasks are part of the reporting

process and their burden hours are included in the collection burden estimates. The attached spreadsheet provides detail information for each collection. Using these calculations, the consolidated estimated annual burden of this package is 3873 hours.

**13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

Costs associated with DOE contractor employees completing the form is approximately \$338,367.

**14. Provide estimates of annualized cost to the Federal government.**

There is a cost of approximately \$10,635 associated with this collection that will impact the Federal government

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

The HRP program has been in existence since 2004 and a more precise determination as to the number of respondents has been made. This has led to a reduction of approximately 7,740 total numbers of respondents since 2009. Likewise, the total number of annual hours required for the collection has been reduced (27,148) based upon actual experience in the administration of the program over the previous three years. The consolidated annual burden of this package is 3873 hours.

The following forms' estimated hours for completion have changed:

- DOE F 470.3, Human Reliability Program (HRP) Certification, changed from 6 minutes to 10 minutes due to average time based on comments from the DOE field offices responsible for administering responses.
- DOE F 470.4, Acknowledgement and Agreement to Participate in the Human Reliability Program (HRP), changed from 6 minutes to 2 minutes due to average time based on comments from the DOE field offices responsible for administering responses.
- DOE F 470.5, Authorization and consent to release Human Reliability Program (HRP), changed from 6 minutes to 2 minutes due to average time based on comments from the DOE field offices responsible for administering responses.

Current OMB Burden Hours Inventory 31,020

**OMB Burden Hour Reduction**

- DOE F 470.3, Human Reliability Program (HRP) Certification (4,725)
- DOE F 470.4, Acknowledgement and Agreement to Participate in the Human Reliability Program (HRP) (5,749)

- DOE F 470.5, Authorization and consent to release Human Reliability Program (HRP) Records in Connection with the HRP (5,898)
- DOE F 470.6, Refusal of Consent (6,204)
- DOE F 470.7, Human Reliability Program (HRP) Alcohol Testing Form (4,571)

<b>TOTALS 1910-5122</b>	<b>Burden Hrs:</b>	<b>3,873</b>
	<b>Respondents/Responses:</b>	<b>43,999</b>

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

This package contains no collections whose results will be published for statistical use.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

DOE is requesting approval to not display the OMB package approval expiration date on the forms. Displaying the date results in additional cost to the Government for updating the form, approval of the changes, and uploading the revised version to the web page every 3 years. DOE management does not want to incur this unnecessary cost.

**18. Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.**

The Department of Energy is not requesting any exceptions to the certification statement provided in Item 19 of OMB Form 83-I.