

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 TTB's 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 and implementing regulations found at 40 CFR 1500.6 (TTB F 5000.29); and the Clean Water Act, 33 U.S.C. 1341(a) and implementing regulations found at 40 CFR 123.3 (TTB F 5000.30).

This information collection is aligned with:

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?

TTB encourages the use of technological advances to collect, store, and retrieve this information. TTB developed a Permits Online (PONL) system that allows for the electronic submission of applications and all of the supplementary forms that are needed to apply for a permit.

An applicant may electronically submit the information requested on TTB F 5000.29 and TTB F 5000.30, using TTB's PONL system at <https://ttbonline.gov/permitsonline>. An applicant may also download TTB F 5000.29 and 5000.30 from TTB.gov. When these forms are opened, a message appears, encouraging the user to file these forms through PONL for faster processing.

TTB has approved and will continue to approve, on a case-by-case basis, the use of improved technology for the collection and maintenance of required information.

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 elsewhere.

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 Tuesday, July 15, 2014, 79 FR 41357. 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 remuneration 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? If personally identifiable information (PII) is being collected in an electronic system, identify the Privacy Impact Assessment (PIA) that has been conducted for the information collected under this request and/or Privacy Act System of Records notice (SORN) that has been issued for the electronic system in which the PII is being stored.

A Privacy Impact Assessment (PIA) has been conducted for information collected under this request as part of the Tax Major Application System and its subsystems, which includes Permits Online; and a Privacy Act System of Records notice (SORN) has been issued for this system under TTB .001-Regulatory Enforcement Record System (76 FR 74847, December 1, 2011). The Department of Treasury PIAs can be found at <http://www.treasury.gov/privacy/PIAs/Pages/default.aspx>.

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

There are 3,330 respondents who are required to file each form (TTB F 5000.29 and TTB F 5000.30), once annually. These forms are required to be filed for original applications filed for manufacturing operations and amendments to change locations. Of the 3,330 respondents, there are **2,430** respondents using PONL to file each form electronically and 900 respondents file using the standard method (paper). For those respondents filing using PONL, each form takes 15 minutes to complete. For those filing on paper, it takes each respondent 30 minutes to complete this form.

As a result, the estimated hour burden is:

Paper submissions: 900 (respondents) X 1 (annual submissions) = 900 (responses) X 30 minutes (processing time) = 450 (burden hours)

PONL submissions: 2,430 (respondents) X 1 (annual submissions) = 2,430 (responses) X 15 minutes (processing time) = 607.5(608) (burden hours)

Total Burden Hours: 450 + 607.5(608) = 1,057.5(1,058) for each form

Combined Burden Hours: 1,057.5(1,058) + 1,057.5(1,058) = 2,115(2,116) Burden hours

FORM NUMBER(S)	Type of Filing	# Respondents	# Responses Per Respondent	Annual Responses	Hours Per Response	HR. BURDEN TOTALS
TTB F 5000.29	PAPER	900	1	900	0.50	450
	PONL	2,430	1	2,430	0.25	<u>607.5</u> 1,057.5 (1,058)
TTB F 5000.30	PAPER	900	1	900	0.50	450
	PONL	2,430	1	2,430	0.25	<u>607.5</u> 1,057.5 (1,058)
	PAPER PONL TOTALS	900 <u>2,430</u> 3,330	1 1	900 <u>2,430</u> 3,330	1.0 0.5	900 <u>1,215</u> 2,115 (2,116)

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:

Printing	\$ 0
Distribution	\$ 0
Clerical Cost	\$ 660
Other Salary (review, supervisory, etc.)	<u>\$1,531</u>
Total	\$2,191

Printing and distribution cost has either significantly decreased or no longer exists due to the availability of TTB forms on TTB.gov and PONL. As a result, there is no longer printing and distribution cost for this collection.

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

There is an adjustment associated with this collection. Although the July 15, 2014 FRN reports, in error, an increase in the number of respondents, we are actually reporting a decrease from 8,000 to 3,330 respondents which results in a decrease in the hour burden.

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?

TTB is seeking approval to not display the expiration date for OMB approval of this collection because displaying the expiration date would make it necessary to update the electronic form and website where it is accessed after each renewal. Additionally, not displaying the expiration date on the form will avoid confusion among members of the public who may have identical forms with different expiration dates in their possession. By not displaying the expiration date, supplies of the form could continue to be used regardless of when the OMB approval has expired. This would also reduce the difficulties experienced by the public when trying to determine when there are actual changes that require reduce costs incurred through desktop publishing.

18. What are the exceptions to the certification statement?

- (c) See item 5 above
- (f) This is not a recordkeeping requirement
- (i) No statistics are involved

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.