

## **Supporting Statement A**

### **Technical Evaluations Series: TECHNICAL ASSISTANCE, TECHNOLOGY TRANSFER AND FORUMS**

**OMB Control Number 1029-0114**

Terms of clearance: None

#### **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.***

#### **Introduction**

This information collection clearance package is being submitted by the Office of Surface Mining Reclamation and Enforcement (OSMRE) for renewed approval to collect information from a series of four customer service surveys. The evaluations are disseminated to assist OSMRE in determining the effectiveness and future needs of respondents who are assisted by OSMRE's Applicant/Violator System Office (AVSO), who receive technology transfer or assistance, or who participate in OSMRE technical forums. In this way, the evaluations are designed to benefit the public.

OMB approved this collection and assigned it control number 1029-0114. OSMRE is seeking to extend its authority to collect this information for an additional three years.

#### **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 series of surveys are needed to ensure that technical assistance activities, technology transfer activities and technical forums meet the needs identified by those who participate or receive the assistance. Specifically, representatives from State and Tribal regulatory and reclamation authorities, representatives of industry, environmental or citizen groups, or the public, are the recipients of the assistance or participants in these forums, although

a great majority is State and Tribal employees. These surveys are the primary means through which OSMRE evaluates its performance in meeting the performance goals outlined in its annual plans developed pursuant to the Government Performance and Results Act (GPRA).

Customer satisfaction is seen as the ultimate performance indicator for the Federal government because it shows how well our customers are being served and what we must do to close the "gap" between what we provide our customers and what they want. This collection will obtain information to determine that level of satisfaction with the technical services provided by OSMRE and to identify any areas where improvements in providing these services can be made.

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.*

OSMRE is seeking renewed approval for the collection of information for four evaluations: one to be completed by customers who receive technical assistance, one by those who participated in or benefited from an OSMRE technology transfer activity, one to be completed by those customers who participated in an OSMRE-sponsored technical forum, and the other by those who receive Applicant Violator System (AVS) assistance. The information collected will be used to identify and evaluate the effectiveness of OSMRE's technology development and transfer activities, its technical assistance, and to expand on those activities where needed. The intent of OSMRE's technical program is to enhance the effectiveness of its regulatory and abandoned mine lands (AML) programs in meeting the goals of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Therefore, it is important for OSMRE to determine effectiveness of these activities, to modify existing activities, or to develop new activities to meet the needs of the customers, especially State and Tribal regulatory and reclamation authorities.

Approval of this information collection means that OSMRE will obtain sufficient data to assess the level of customer service provided by its technical programs. It will provide OSMRE with the critical indicators essential to determine the effectiveness of our services and develop improvements that our customers want. Further, it will enable OSMRE to evaluate its performance under GPRA.

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.*

The AVS Evaluation form is sent to customers who receive services through the AVSO.

The evaluation form is provided to customers via email and is customized based on the type of service they receive. The technical transfer evaluation form, the technical assistance, and the meeting/forum evaluation forms are available at OSMRE's website at <https://www.osmre.gov/resources/forms.shtm>.

In addition, customers without electronic capability are able to respond by fax or mail. Therefore, OSMRE is in compliance with GPEA requirements.

OSMRE estimates that approximately 85% of the surveys 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.***

These evaluations are used to determine the effectiveness of OSMRE's technical program by requesting customers and participants to respond to basic questions regarding performance and usefulness of OSMRE's AVS services, technical assistance activities, technology transfer activities, or technical forums. Similar information does not exist elsewhere.

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. On a voluntary basis only, we are asking those customers to respond to the evaluations.

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.***

This information will be collected within approximately three months after each instance of service, technical assistance, technology transfer or after a technical forum is held. Without these follow-up evaluations we do not know whether we have met either the customers' present needs or are in a position to meet their future needs.

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.*

OSMRE conducted telephone interviews with two recent respondents who are supervisors in their respective State regulatory programs for:

Ohio Department of Natural Resources  
Division of Mines and Reclamation  
New Philadelphia, OH

Department of Environmental Protection  
Bureau of Mining Programs  
Division of Permitting and Compliance  
400 Market St., 5th Floor

Harrisburg, PA 17105

Each individual indicated that the surveys were easy to understand and were in the appropriate format for gathering the information requested. Each respondent indicated that each survey took less than 5 minutes to complete.

The above respondents did not identify any concerns regarding the availability of data, frequency of collection, clarity of instructions and record keeping of the information collection requirements.

On March 7, 2017, OSMRE published in the Federal Register (82 FR 12840) 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.***

Payments or gifts are not provided to respondents of the surveys.

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

Neither their names nor other identifying information is requested or retained.

**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. Instead, this cost should be included under “Annual Cost to Federal Government.”*

Estimated Information Collection Burden

a. Burden Hour Estimates for Respondents

In 2016 70% of the 151 surveys distributed were returned, or 106 responses. During the next three years, OSMRE anticipates distributing 151 surveys annually. Assuming a 70% response rate, we anticipate receiving 106 responses each year. Based on telephone interviews with two recent respondents, OSMRE staff estimates that each survey will require approximately 5 minutes to complete. Therefore,

$$106 \text{ respondents} \times 5 \text{ minutes} = /60 = 9 \text{ hours.}$$

b. Estimated Cost to Respondents

Using U.S. Department of Labor’s Bureau of Labor statistics ([http://www.bls.gov/oes/current/naics4\\_212100.htm](http://www.bls.gov/oes/current/naics4_212100.htm)) a mining engineer who would attend a forum or request technical assistance would have a wage cost of approximately \$44.34, or \$62.08 per hour including benefits. [Benefits are calculated at a rate of 1.4 of hourly wages as derived from the U.S. Bureau of Labor Statistics news release USDL-17-0321, entitled EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—DECEMBER 2016, published March 17, 2017 (<http://www.bls.gov/news.release/pdf/ecec.pdf>)].

Therefore, the estimated total annual cost for industry would be \$62.08 per hour x 9 hours = \$558.72.

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.*

Total Annual Non-Wage Cost Burden to Respondents

a. Annualized Capital and Start-Up Costs

There are no costs incurred to respondents beyond that already indicated in item 12 above.

b. Operation and Maintenance Costs

No significant non-wage operation or maintenance costs are associated with this information collection activity.

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.***

Estimate of Annualized Cost to the Federal Government

It requires 15 minutes to process each of the 106 responses to the Evaluations. Therefore,  $106 \times 15 \text{ minutes}/60 = \text{approximately } 26.5 \text{ hours}$ . A GS 13 step 1 technician will review the surveys received by OSMRE. The hourly wage is \$41.12, ([https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/RUS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/RUS_h.pdf)). With benefits calculated at a rate of 1.6 of salaries for OSMRE employees based on the U.S. Bureau of Labor Statistics news release USDL-17-0321, the hourly rate is \$65.79. The cost to the federal government will be approximately:  $\$65.79 \times 26.5 \text{ hours} = \text{approximately } \$1,743$ .

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

The current information collection burden approved by OMB for these evaluations is 31 hours. Efforts to provide the types of assistance for which these forms are used to evaluate the effectiveness of the assistance provided has been curtailed drastically since the last update. The number of surveys distributed has gone down from 385 in 2013 to 151 in 2016. In addition, the time required remains the same for respondents to complete the forms. Also, the time that it takes the technicians to process the surveys remains the same, while the percentage of surveys returned has stayed consistent at 71% in 2013 to 70% in 2016. Therefore, this information collection request will decrease the burden as follows:

31	Hours currently approved
<u>- 22</u>	Hours due to an adjustment
9	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.***

This information will be compiled and published as a part of OSMRE's reporting under GPRA.

**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.***

The OMB approval number, 1029-0114, and expiration date will be displayed on the forms.

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

There are no exceptions to OMB's *Certification for Paperwork Reduction Act Submissions*.