

Supporting Statement for Paperwork Reduction Act Submissions

Title:

OMB Control Number: 1670-0014

Chemical Facility Anti-Terrorism Standards

Supporting Statement A

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 collection of information.

On December 18, 2014, the President signed into law the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (“CFATS Act of 2014”) (Pub. L. 113-254) providing long-term authorization for the CFATS program. The CFATS Act of 2014 codified the Department’s authority to implement the CFATS program into the Homeland Security Act of 2002. See 6 U.S.C. § 621 *et. seq.*

Section 550 of Public Law 109-295 previously provided (and the CFATS Act of 2014 continues to provide) the Department with authority to identify and regulate the security of high-risk chemical facilities using a risk-based approach. On April 9, 2007, the Department issued the CFATS Interim Final Rule (IFR), implementing this statutory mandate. See 72 FR 17688. Section 550 required (and the CFATS Act of 2014 continues to require) that the Department establish risk-based performance standards (RBPS) for high-risk chemical facilities and, under CFATS, the Department promulgated 19 RBPS.

CFATS, 6 CFR Part 27, is the Department’s regulation governing security at high-risk chemical facilities. CFATS represents a national-level effort to minimize terrorism risk to such facilities. Its design and implementation balance maintaining economic vitality with securing facilities and their surrounding communities. The regulation was designed, in collaboration with the private sector and other stakeholders, to take advantage of protective measures already in place and to allow facilities to employ a wide range of tailored measures to satisfy the regulation’s 19 RBPS.

CFATS allows, and sometimes requires, facilities to communicate or notify specific information to the department. The data collection activity will be limited to representatives of affected facilities through the Chemical Security Assessment Tool (CSAT). The Department collects the core regulatory data electronically through the CSAT. The statute and regulation authorizing the collections described in this ICR can be viewed at the following websites:

- (1) The CFATS Act of 2014: <http://uscode.house.gov/view.xhtml?path=/prelim@title6/chapter1/subchapter16&edition=prelim>; and
- (2) 6 CFR Part 27, CFATS implementing regulations: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title06/6cfr27_main_02.tpl.

History of the Currently Approved Information Collection

In January 2010, the Department submitted an ICR to OMB for four instruments. This request was approved by OMB on March 19, 2010 and the collection was set to expire on September 30, 2014.

In March 2013, the Department submitted an ICR extension to OMB, without change, for the same four instruments. This request was also approved by OMB on September 13, 2014 and the collection expiration was extended until September 30, 2017.

Presently, the Department requests that OMB extend this information collection for an additional three years with revisions to modify the burden on many of the instruments based primarily upon historical data since the implementation of the collection and partially upon new efficiencies that were previously unavailable in the CSAT system. In addition, a new instrument is proposed (Declaration of Reporting Status) and several of the instruments were refined to reflect the maturing regulatory program. The Department submitted the ICR for review by OMB prior to the expiration date.

Reason for Revisions

The Department requests that OMB extend this information collection with the following revisions:

- An increase in the overall total annual operating cost to the Federal Government for this collection from \$897,700 to \$957,562 based on the projected costs for Government FTE salaries that is reflected in the Office of Personnel Management's (OPM) 2017 General Schedule Locality Pay Table.
- As in the previously approved collection for these instruments, the Department assumes that Site Security Officers (SSOs) are responsible for submitting the instruments associated with this collection. The Department realizes that the associated hourly salary from the spectrum of possible CVI Authorized Users accessing the CVI Authorization instrument is potentially wide. Consequently, the Department is making the assumption that the hourly salary of Site Security Officers (SSOs) should be used to provide a medium mean hourly salary associated with this collection. This request incorporates a reduction of the annual reporting and recordkeeping hour and cost burden for SSOs to \$78.93/hour using a wage rate which is based on updated Bureau of Labor Statistics (BLS) data.
- This request contains a name change for two previously approved instruments to clarify the function of both instruments. Specifically, "Request for a Technical Consultation" has been changed to "Compliance Assistance" and "Notification of New Top-Screen" has

been changed to “Top-Screen Update.” No substantive revisions are proposed for either instrument.

- The “Request for Redetermination” instrument is proposed to be amended to allow facilities to select from a list of possible reasons to support a request for redetermination.
- This request proposes the addition of a new instrument titled “Declaration of Reporting Status” which allows a chemical facility to notify the Department that it is not required to register in CSAT or submit a Top-Screen (TS).

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.

There are five instruments in this collection. A new, fifth instrument “Declaration of Reporting Status” has been added to allow a chemical facility to notify the Department that it is not required to register in the CSAT system or submit a TS. These five instruments will be used to support the Department’s management of the CFATS communications and notifications from chemical facilities of interest. All information collected supports the Department’s effort to reduce the risk of a successful terrorist attack against high-risk chemical facilities.

The instruments that comprise this collection are as follows:

1. Request for Redetermination,
2. Request for an Extension,
3. Top-Screen Update,
4. Compliance Assistance, and
5. Declaration of Reporting Status.

Request for Redetermination

Pursuant to 6 CFR § 27.205(b), a covered facility that has been previously determined to present a high level of security risk that has materially altered its operations may seek a redetermination from the Department by completing this instrument. In many instances, a request for redetermination may be submitted by a facility concurrent with its submission of a material modification TS pursuant to 6 CFR § 27.210(d). Whether or not a material modification TS is submitted, this instrument also provides a facility with the opportunity to provide an explanation supporting why the Department should grant the redetermination request. Under 6 CFR § 27.205(b), the Department is required to respond within 45 calendar days of receipt of a redetermination request. This instrument allows the covered facility to notify the Department of a reduced quantity of chemical(s) of interest or to notify of the removal of a chemical(s) of interest. The instrument will collect the supporting information needed to verify the reason for the request for redetermination. The types of documentation collected, if applicable, are as follows:

- Reason for request.
- Removal and/or reduction of COI quantity and/or concentration.
- Vendor of chemicals.

- Receipt/receiving Location of COI(s) locations.
- Process changes (e.g. a description of the removal of the COI(s), receiving location of removed COI(s), description and documentation for permanent change of process, description of management controls of planned future inventory of COI(s), etc.).
- Description of closure, sale, and/or end of lease.
- Invoices/bills of laden/inventory control forms.
- MSDS/SDS and other product labels.
- Substitute chemical and/or process being used.
- Description of management controls for future quantities of COI(s).

In this amended form, the Department removed a question regarding material modifications. This is an effort to consolidate repetitive questions. The collection of information for removal of 1 Chemical of Interest (COI), but not other COI is covered under the removal and/or reduction of COI. The addition of COI are covered under CSAT collection instruments and not part of redetermination or material modification. Finally, the Department has added a request for the name and address of the facility (vendor) to include: Name, address, city, state, zip, and country. Finally, a signature block and date field have been added.

The information is primarily collected electronically by this instrument, e.g., via CSAT, e-mail, etc.

Request for an Extension

Pursuant to 6 CFR § 27.210(c), the Assistant Secretary has authority to modify the submission schedule for CSAT surveys (i.e. the CSAT TS, the CSAT Security Vulnerability Assessment (SVA), or the CSAT Site Security Plan (SSP)/Alternative Security Program (ASP)). Facilities that require additional time to submit a CSAT survey may request an extension from the Department using this instrument. By completing this instrument the Department of Homeland Security (DHS) will consider extending the submission deadline for a particular facility. The facility must provide the information listed below to support the extension request:

- The extension request is requesting an extension to one of the following reports:
 - A Top-Screen.
 - A Security Vulnerability Assessment/Site Security Plan.
- Justification for the request (narrative).
- Proposed new due date for the selected report (month, day, year).
- Purpose of the request (narrative).
- Desired outcome of the request (narrative).

The information is primarily collected electronically by this instrument, e.g., via CSAT, e-mail, etc.

Top-Screen Update

Pursuant to 6 CFR § 27.210, a facility will use this instrument when it needs to submit a revised TS based on closure or sale of the facility, addition of a new Chemical of Interest (COI), and elimination or changes to the amount of existing COI. This instrument also covers the resubmission of a TS pursuant to the schedule provided in 6 CFR § 27.210(b).

The Department proposes to update the name of this instrument from “Notification of New Top-Screen” to “Top-Screen Update”. This revised terminology more accurately reflects the functional purpose of this instrument in the Department’s maturing regulatory program. No additional or substantive changes are proposed for this instrument.

The information is primarily collected electronically by this instrument, e.g., via CSAT, e-mail, etc.

Compliance Assistance

A chemical facility of interest may submit a written request to initiate consultations or seek technical assistance from the Department. This instrument may be used by a facility to request such consultation and/or technical assistance from DHS. If requested, the Department may provide assistance with submission of a TS, SVA, or SSP/ASP; assist a facility with registration; or answer additional questions, as necessary; allow an inspector to visit a potentially non-compliant facility; verify material modifications during the redetermination process; or follow-up on security issues or results of a recent incident. This instrument requires that the facility specify a reason for the request and their desired outcome.

The Department proposes to update the name of this instrument from “Request for Technical Consultation” to “Compliance Assistance” to more accurately reflect the full scope of assistance that may be requested from the Department. No additional or substantive changes are proposed for this instrument.

- The facility provides the name and CVI Authorization number(s) of the individual(s) planning to attend the compliance consultation.
- The facility provides a reason, for their request, based on selection of one or more of the following options:
 - The facility requests a compliance assistance regarding the modification of the facility.
 - The facility requests a compliance assistance regarding the modification of the facility's processes.
 - The facility requests a compliance assistance regarding the modification of the types of materials that the facility possesses.
 - The facility requests a compliance assistance regarding the modification of the quantities of materials that the facility possesses.
 - Other (Narrative).

In addition, the facility will provide information for the following fields:

- Explanation for Request (narrative).
- Proposed date and time for the Compliance Assistance.
- Specific CFATS-related issue(s) of particular interest to the facility.
- Identify the facility's preferred location for the CA and specify whether or not this is a CA to be held at the headquarters of a corporation with multiple CFATS-covered facilities.
- Desired outcome for request (narrative).
- Point of contact name
- Preferred method of contact (e.g., phone number or email address).
- Facility ID.
- Company Name.
- Specific CFATS-related issue(s) of particular interest to the facility.
- The facility's preferred location for the Compliance Assistance consultation and/or technical assistance visit.
- Preferred location for the visit (e.g., company headquarters or the facility location).
- Proposed date and time for the visit.

The information is primarily collected electronically by this instrument, e.g., e-mail, etc.

Declaration of Reporting Status

Pursuant to 6 CFR Part 27, this instrument will be used by a chemical facility to identify that it is not required to register in the CSAT system to submit a TS. The facility must specify a reason for the request and the facility's desired outcome. This information will be used by the Department to assist in its efforts to identify chemical facilities of interest.

This instrument requires that the facility provide a reason why it is not required to register to submit a TS Survey. The instrument provides the following list of potential reasons that may be selected to support a facility's declaration that it is not required to register or to submit a TS:

- The facility does not possess a chemical of interest (COI) that meets or exceeds the screening threshold quantity (STQ) described in Appendix A to CFATS.
- The facility is regulated under the Maritime Transportation Security Act of 2002. See 6 U.S.C. § 621(4)(A). **Note: If only a portion of the facility is exempt, the facility must still file a TS for the portion of the facility that is not regulated.
- The facility is constitutes a wastewater or drinking water facility regulated under authorities administered by the U.S. Environmental Protection Agency. See 6 U.S.C. §§ 621(4)(B) and (C).
- The facility is owned or operated by the Department of Defense or the Department of Energy See 6 U.S.C. § 621(4)(D).
- The facility is subject to regulation by the Nuclear Regulatory Commission (NRC), or by a State that has entered into an agreement with the NRC to protect against unauthorized access of any material, activity, or structure licensed by the NRC. See 6 U.S.C. § 621(4)(E).
- The facility is an agricultural production facility covered under the extension to the TS requirements detailed in 73 Fed. Reg. 1640 (Jan. 9, 2008).

- The facility only possesses a COI present in a gasoline mixture. See 81 Fed. Reg. 47002.
- Other (The facility will provide a narrative).

The information is primarily collected electronically by this instrument, e.g., via CSAT, e-mail, etc.

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.

This collection will leverage recently deployed system workflow efficiencies in the CSAT system to reduce the estimated burden on chemical facilities which have streamlined the data collection process to meet CFATS regulatory obligations. The Department collects the all of the instruments listed in Table 1 below, with the exception of the Compliance Assistance Instrument, from covered chemical facilities primarily in electronic format through the CSAT system to enhance access controls and reduce the paperwork burden for chemical facilities. The Department collects information covered by the Compliance Assistance instrument from chemical facilities through email requests.

Table 1: Medium Information Is Collected In

Name of Instrument	Medium Collection
Request for Redetermination	The information is primarily collected electronically by this instrument.
Request for an Extension	The information is primarily collected electronically by this instrument.
Top-Screen Update	The information is primarily collected electronically by this instrument.
Compliance Assistance	The information is primarily collected electronically by this instrument.
Declaration of Reporting Status	The information is primarily collected electronically by this instrument.

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.

CFATS is a unique program, therefore, the data collection instruments associated with it do not duplicate any current collection activities. Although there are state, local, and other Federal regulations relating to chemical safety such as the Environmental Protection Agency (EPA) Risk Management Plan (RMP) program, those regimes do not collect the core security metrics that enable comparative risk analysis across the chemical sector. Section 112(r), of the Clean Air Act Amendments, requires EPA to publish regulations and guidance for chemical accident prevention at facilities that use certain hazardous substances. These regulations and guidance are

contained in the Risk Management Plan (RMP) rule. The RMP rule requires facilities that use extremely hazardous substances to develop a Risk Management Plan which:

1. Identifies the potential effects of a chemical accident,
2. Identifies steps the facility is taking to prevent an accident, and
3. Spells out emergency response procedures should an accident occur.

On Aug 1, 2013, the Department, EPA, and other agencies were directed, by Executive Order (EO) 13650 “Improving Chemical Facility Safety and Security,” among other things to develop a coordinated, flexible, data-sharing process. The EO Working Group researched on the potential to improve information collection and sharing between agencies, to produce a proposal for a coordinated, flexible data-sharing process which can be used to track data submitted to agencies for federally regulated chemical facilities. In addition, the working group was tasked to identify and recommend possible changes to streamline and otherwise improve data collection to meet the needs of the public and Federal, State, local, and tribal agencies¹.

The EO working group studied the possibilities of consolidating and sharing chemical facility data between the agencies. The working group determined that the different formats and management of these data sets didn’t fully support interagency compliance analysis. The agencies had incorporated disparate technologies and data collection requirements independently of one another (often due to differing statutory requirements). To date, there is no chemical security and safety data clearinghouse that contains all of the data points germane to all Federal agency regulations. The issues above are some of the constraints to merging the collections. To move towards a data clearing house, the working group identified that appropriate funding must be allocated to implement the working group’s recommendations².

Finally, a report to the President, published in May 2014, summarizes the EO working group's progress; it focused on actions to date, findings and lessons learned, challenges, and short and long-term priority actions. The report, entitled “Actions to Improve Chemical Facility Safety and Security – A Shared Commitment,” includes an aggressive Action Plan which is focused on changing the national landscape for chemical facility safety and security. Periodically, the EO working group issues ‘Fact Sheets’ to update the group’s progress³.

In conclusion, the “CFATS Act of 2014” authorized the Department to regulate "High Risk" chemical facilities through the development and implementation of security plans to guard against the possibility of terrorism. DHS implements the CFATS regulations, which regulate security at high-risk facilities possessing more than certain amounts of one or more chemicals of interest. Comparative risk analysis is essential to implementing the CFATS risk based security regulation under 6 CFR Part 27.

¹ <https://obamawhitehouse.archives.gov/the-press-office/2013/08/01/executive-order-improving-chemical-facility-safety-and-security>

² https://www.osha.gov/chemicalexecutiveorder/data_management.html

³ https://www.osha.gov/chemicalexecutiveorder/final_chemical_eo_status_report.pdf

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.

No unique methods will be used to minimize the burden to small businesses.

6. Describe the consequence to Federal/DHS program or policy activities if the collection of information is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

All of the instruments in this collection are used by chemical facilities of interest and covered chemical facilities to enable compliance with requirements under the CFATS regulation. Failure to conduct this collection would hinder a facilities' ability to comply with the regulation and the Department's ability to enforce compliance with the regulation.

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

- (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 produce valid and reliable results that can be generalized to the universe of study.
- (f) Requiring the use of a 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 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.
- (h) 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.

There are no special circumstances that would cause the information collected to be conducted in a manner inconsistent with guidelines.

8. Federal Register Notice:

- a. 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. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.
- b. 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.

c. Describe consultations with representatives of those from whom information is to be obtained or those who must compile records. Consultation should occur at least once every three years, even if the collection of information activities is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

	Date of Publication	Volume #	Number #	Page #	Comments Addressed
<i>60Day Federal Register Notice:</i>	April 10, 2017	82	67	17270-17273	0
<i>30-Day Federal Register Notice</i>	July 27, 2017	82	143	34967-34968	0

A 60-day public notice for comments was published in the Federal Register on April 10, 2017, at 82 FR 17270. The Department didn't receive any comments during this time frame. The lack of comments may be verified on www.regulations.gov under Docket ID DHS-2017-0014.

A 30-day public notice for comments was published in the Federal Register on July 27, 2017, at 82 FR 34967. The Department received 0 comments.

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

No payment or gift of any kind is provided to any respondents.

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

There is no assurance of confidentiality provided to the respondents. However, Information collected through this collection may be protected from disclosure by the Department under the designation Chemical-terrorism Vulnerability Information (CVI). CVI is a Sensitive but Unclassified designation authorized under the CFATS Act of 2014 and implemented in 6 CFR § 27.400.

6 U.S.C. 623(d) states that CVI "in any proceeding to enforce this section, vulnerability assessments, site security plans, and other information submitted to or obtained by the Secretary under this section, and related vulnerability or security information, shall be treated as if the information were classified material." In addition, 6 CFR § 27.400(h) specifies the circumstances under which access to CVI may be provided by the Department in the context of an administrative enforcement proceeding.

This is a privacy sensitive system. A Privacy Threshold Analysis has been adjudicated by the DHS Privacy Office which resulted in a determination that PIA coverage is provided by DHS/NPPD/PIA-009(a) Chemical Facility Anti-Terrorism Standards August 12, 2016. SORN coverage is provided by DHS/ALL-002-Department of Homeland Security (DHS) Mailing and Other Lists System, November 25, 2008, 73 FR 71659, DHS/ALL-004-General Information Technology Access Account Records System (GITAARS), November 27, 2012, 77 FR 70792.

Notwithstanding the Freedom of Information Act (FOIA) (5 U.S.C. 552), the Privacy Act (5 U.S.C. 552a), and other laws, in accordance with Sec. 550(c) of P.L. 107-296 6 U.S.C. 623(c) and 6 CFR § 27.400(g), records containing CVI are not available for public inspection or copying, nor does the Department release such records to persons without a need to know. See 6 CFR 27.400(g)(1).

If a record contains both CVI and non-CVI information that may not be disclosed under Public Law 107-296 and information that may be disclosed, the latter information may be provided disclosed in response to a FOIA request, provided that the record is not otherwise exempt from disclosure under FOIA and that it is practical to redact the protected CVI from the requested record. See 6 CFR 27.400(g)(2).

DHS's primary IT design requirement was ensuring data security. DHS acknowledges that there is a non-zero risk, both to the original transmission and the receiving transmission, when requesting and transmitting data over the Internet. DHS has weighed the risk to the data collection approach against the risk to collecting the data through paper submissions and concluded that the web-based approach was the best approach given the risk and benefits.

DHS has taken a number of steps to protect both the data that will be collected through the CSAT program and the process of collection. The security of the data has been the number one priority of the system design. The site that the Department uses to collect submissions is equipped with hardware encryption that requires Transport Layer Security (TLS), as mandated by the latest Federal Information Processing Standard (FIPS). The encryption devices have full Common Criteria Evaluation and Validation Scheme (CCEVS) certifications. CCEVS is the implementation of the partnership between the National Security Agency and the National Institute of Standards (NIST) to certify security hardware and software.

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.

The instruments described in this collection do not request any information of a personally sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- a. 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 desired. 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.
- b. 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.
- c. 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 in Item 14.

The annual total estimate for reporting, recordkeeping and cost burden under this collection is \$36,518. This annual total estimate represents a reduction from the previously reported burden of \$63,692 due to a decrease in the estimated time burden for three of the instruments used in the collection, as well as a decrease in the estimated wage of a Site Security Officer (SSO). The SSO's average hourly wage rate of \$78.93 was based on an average hourly wage rate of \$53.92⁴with a benefits multiplier of 1.4639⁵.

Individual burden estimates vary by instrument and are summarized in the table below:

Table 2: Instrument Burden Estimate

Instrument	# of Respondents	Responses per respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Total Annual Burden (in dollars)
	(a)	(b)	(c)	(d) = (a) x (b) x (c)	(e) = (d) x \$78.93
Request for Redetermination	625	1	0.25	156.25	\$12,333
Request for an Extension	730	1	0.08	58.4	\$4,610
Top-Screen Update	1,250	1.5	0.08	150	\$11,840
Compliance	455	1.5	0.08	54.6	\$4,310

⁴ The wage used for an SSO equals that of Managers, All (11-9199), with a load factor of 1.4639 to account for benefits in addition to wages <https://www.bls.gov/oes/2016/may/oes119199.htm>

⁵ Load factor based on BLS Employer Cost for Employee Compensation, as of June 9, 2017. Load factor = Employer cost for employee compensation (\$35.28) / wages and salaries (\$24.10) = 1.4639 <https://www.bls.gov/news.release/ecec.nr0.htm>

Assistance					
Declaration of Reporting Status	480	1	0.25	120	\$9,472
Totals	3,540			539.25	\$42,565

Note: Totals may not sum due to rounding.

Accordingly, the annual total estimate for reporting, recordkeeping and cost burden, under this collection, is \$42,565.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

The cost estimate should be split into two components: (1) 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. 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 to keep records for the government, or (4) as part of customary and usual business or private practices.

The Department provides access to CSAT free of charge and assumes that each respondent already has computer hardware and access to the internet for basic business needs. There are no other annualized capital or start-up costs incurred by chemical facilities of interest or high-risk chemical facilities for this information collection.

As explained in the Department's most recent 60-day notice for ICR 1670-0007, the Department estimates that the CFATS recordkeeping burden for respondents that are determined not to be high-risk is *de minimus*. See 80 FR 72088. In addition, for those facilities that are determined to be high-risk, the Department assumes that such facilities already possess the necessary means to

reasonably protect documents in electronic or paper formats. Since the Department also accounted for such recordkeeping costs in the most recent 60-day notice for ICR 1670-007, the Department believes accounting for these costs in this ICR would be duplicative. See 80 FR 72091.

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 have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

Federal government costs can be divided between the cost associated with collection of information and the cost associated with managing and responding to the submitted data. The cost associated with collecting the information is essentially the cost of operating and maintaining the collection instruments within CSAT. The annual Operating and Maintenance (O&M) costs for the instruments with CSAT are estimated at \$0.4M. The cost associated with managing and responding to the submitted data the management is equivalent to the cost of employing three Full Time government employees (FTE) at the GS-14, Step 5 level. These FTE costs are only associated with salary costs. The fully-loaded wage rate for a GS-14, Step 5 FTE is \$126,958 base salary x 1.4639 benefit multiplier = \$185,854.

Table 3: Estimates of Annualized Costs for the Collection of Data

Expense Type	Expense Explanation	Annual Costs (in dollars)
Direct Costs to the Federal Government	Three DHS FTE's (GS-14, Step 5) @ \$185,854/year (Washington-Baltimore-Arlington, DC-MD-VA-WV-PA 2017 Pay Scale)	\$557,562
CSAT O&M	Costs for O&M of CSAT Application	400,000*

* Note: The Department entered into an Interagency Agreement (IA) with the Department of Energy, Oak Ridge National Laboratory to operate and maintain (O&M) the CSAT system. Because the O&M costs associated with each subsystem in CSAT are not costed separately in the IA, it isn't possible to isolate the proportion of O&M costs associated with this collection. Therefore, the actual total annual operating cost to the Federal Government are likely lower than estimated.

Total \$957,562

Total Federal Government Costs

In sum, the estimated total annual operating cost to the United States Government for this collection is \$957,562.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. Changes in hour burden, i.e., program changes or adjustments made to annual reporting and recordkeeping **hour** and **cost** burden. A program change is the result of

deliberate Federal government action. All new collections and any subsequent revisions of existing collections (e.g., the addition or deletion of questions) are recorded as program changes. An adjustment is a change that is not the result of a deliberate Federal government action. These changes that result from new estimates or actions not controllable by the Federal government are recorded as adjustments.

The Department is assuming that a significant change in public burden estimates have occurred since the last approved ICR (Sept 2014) due to the decrease in expected burden hours. The burden per response was lowered for these instruments based on historical CSAT data. The Department assumes that Site Security Officers (SSOs) are responsible for submitting the instruments associated with this collection. For the purpose of this notice, the Department maintains this assumption. A reduction of the annual reporting and recordkeeping hour and cost burden for SSOs to \$78.93/hour, based on the fully loaded wage rate for Managers, All Other as provided by BLS and described in Q12. For two of the instruments, the Department has revised the estimated number of respondents. For three of the instruments, the Department has reduced the estimated average burden per response. Finally, this ICR includes burden estimates for a new instrument titled "Declaration of Reporting Status." Taking into consideration all of these changes, the total annual estimate for reporting, recordkeeping, and cost burden under this collection has decreased from \$63,692 to \$42,565; increased responses from 2,963 to 4,393; decreased burden hours from 741 to 539.

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.

No plans exist for the use of statistical analysis or to publish this information.

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

The expiration date will be displayed in the instruments.

18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

No exceptions have been requested.