



*Independent Statistics & Analysis*  
U.S. Energy Information  
Administration

# Supporting Statement for Coal Markets Reporting System

## Part A: Justification

*Form EIA-3, “Quarterly Survey of Industrial, Commercial, & Institutional Coal Users”*

*Form EIA-7A, “Annual Survey of Coal Production and Preparation”*

*Form EIA-8A, “Annual Survey of Coal Stocks and Coal Exports”*

*Form EIA-6, “Emergency Coal Supply Survey (Standby)”*

*Form EIA-20, “Emergency Weekly Coal Monitoring Survey for Coal Burning Power Producers (Standby)”*

**OMB No. 1905-0167**

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## Introduction

The U.S. Energy Information Administration (EIA) is the statistical and analytical agency within the U.S. Department of Energy (DOE). It collects, analyzes, and disseminates independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding regarding energy and its interaction with the economy and the environment. EIA is required to publish, and otherwise make available independent, high-quality statistical data to federal government agencies, state and local governments, the energy industry, researchers, and the general public. To help meet this obligation, EIA maintains the Coal Markets Reporting System (CMRS) to collect data on U.S. coal production, quality, consumption, receipts, stocks, and prices.

EIA is requesting a three-year extension with revisions to the following forms:

- Form EIA-3, “Quarterly Survey of Industrial, Commercial, & Institutional Coal Users”
- Form EIA-7A, “Annual Survey of Coal Production and Preparation”
- Form EIA-8A, “Annual Survey of Coal Stocks and Coal Exports”

Responses to these forms are mandatory.

### **EIA-3, Quarterly Survey of Industrial, Commercial, & Institutional Coal Users**

Form EIA-3 collects quarterly data on the use of coal at U.S. manufacturing plants, coal transformation/processing plants, coke plants, and commercial and institutional users of coal. Approximately 7 percent of coal consumption is from the non-electric sector, including U.S. manufacturers, coking plants, transformation and processing plants, and commercial and institutional users. Information collected via this survey includes coal consumption, stocks, receipts, delivered cost, mine origin, shipping destination, and coal quality.

Changes to Form EIA-3:

- Change the title of the survey from the “Quarterly Survey of Non-Electric Sector Coal Data” to “Quarterly Survey of Industrial, Commercial, & Institutional Coal Users.”
- In Part 2, Question 6 (Question 5 in the current form), revise reporting for co-fired sites to allow reporting of more than one additional fuel source.
- In Part 2, Question 7 (Question 6 in the current form), remove the instruction that refers to “scrubbers” as a carbon dioxide emissions capture system. (A “scrubber” is used to control emissions of sulfur dioxide.) This question accounts for coal-fired industrial facilities installing equipment to capture emissions of carbon dioxide.
- In Part 2, Question 2, add the question: “Does this site operate a coke oven?” This question will be used to identify active U.S. coking plants within manufacturing sites.

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- In Part 3, Question 2, remove Adjustments to Total Cost of Coal (received during the reporting quarter). Cognitive testing indicated that this data element was unnecessary.
  - In Part 3, Question 3A, add the question “Please provide the contact information for your broker.” Broker contact information will be used to help maintain the EIA-8A coal broker frame and eliminate duplicative reporting on Form EIA-7A.
  - In Part 5, Questions 2 and 3, revise coking plant disposition categories and include distinction between domestic and export sales of coke and breeze to gather more accurate data on each type of sale.
  - In Part 8, Question 2, revise coal refining plant disposition categories to allow for more accurate accounting of refined coal stocks.

### **EIA-7A, Annual Survey of Coal Production and Preparation**

Form EIA-7A collects data from:

- All U.S. coal mining operations which produced 25,000 or more short tons of non-anthracite coal during the reporting year. In 2016, EIA collected from 69.3% of the coal mines, representing 99.7% of the coal production.
- All anthracite mines with 10,000 tons or more production
- Coal preparation plants, tipples, loading docks and train loadouts that worked at least 5,000 person-hours per year. EIA collects this information to ensure EIA has 1) comprehensive information of where and in what quantity coal stocks are held from the point of mining to delivery to customers; 2) to account for the consumption of coal by these facilities; and 3) to have information on how much coal is lost when it is processed by coal cleaning facilities (i.e., preparation plants), which are a significant factor in eastern coal operations.

The data collected includes coal production operations, characteristics of coalbeds mined, recoverable reserves, production capacity, coal sales and revenue, stocks held at mines, and the disposition of the coal mined. For coal preparation, information collected includes operations, locations, production capacity, disposition, and volume of coal prepared.

Changes to Form EIA-7A:

- In Part 3, Question 5A, add the question “What is the average depth of the mine below the surface?” This question will assist with data discrepancies of coalbed data reported by comparing coalbeds mined with U.S. Geological Survey data.
- In Part 5, revise Question 2, which currently reads “With the existing equipment in place, what is the maximum amount of coal that this mining operation can produce during the reporting year?” to read “With the existing equipment in place, what is the annual operating capacity of

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this mine?” By comparing actual production to operating capacity, EIA can better understand if mines are producing at maximum capacity and can use this information as an indicator of market conditions affecting coal supply.

- In Part 5, revise Question 5, which currently reads “As of December 31<sup>st</sup> of the reporting year, what is the estimated tonnage representing the amount of coal identified in the reserve that is technologically and economically feasible to extract?” to read “As of December 31<sup>st</sup> of the reporting year, what is the estimated amount of coal in the reserve that is feasible (economically/technologically) to extract?” Rewording the current recoverable coal reserves question helps clarify to respondents to report the amount of coal that can be recovered from the coal reserve in place.
- In Part 5, remove Question 6, which asks “What is the recovery rate used to estimate recoverable coal reserves at this mine?” Cognitive testing indicates that the term “recovery rate” does not have a common understanding by respondents in the coal industry and respondents cannot provide consistent answers to this question.
- In Part 5, Question 7, revise reporting categories of coal mine sales to simplify question wording while adding export categories to include Open Market Export Sales, Captive Market Export Sales, and Broker Export Sales. The new categories will provide more accurate information on coal exports by type of sale and seller by eliminating potential double-counting of export coal sales on Form EIA-8A. In 2015, the exports and stocks reported on the EIA-8A represented 5.7% of the production reported. This information will improve EIA’s assessments of production trends and coal supply by basin. It will also facilitate EIA’s comparison of coal supply by basin with export data collected by the U.S Census Bureau.

### **EIA-8A, Annual Survey of Coal Stocks and Coal Exports**

Form EIA-8A is submitted by all coal brokers, coal traders, and coal terminals that owned stocks of 10,000 or more short tons of coal originating in the United States on December 31<sup>st</sup> of the reporting year and/or exported coal originating in the United States during the reporting year. Note that companies that take custody (physical possession) of the coal and transport it, but never own the coal are not required to report. The corresponding data for entities that do own the coal is captured on the EIA-7A for exports and the EIA-923, “Power Plant Operations Report” for coal stocks.

#### **Changes to Form EIA-8A:**

- In Part 2, Question 2, revise the list of locations where U.S. produced coal stocks are located to include “IT – In Transit.”
- In Part 3, Question 2, add new field requesting port of export and the final destination country for export sales to gather more detailed export data. EIA wants final destination country, not the country of the seaport where the coal is landed. This data field will assist EIA in cross-survey comparisons with the EIA-7A and coal trade data collected by the U.S. Census Bureau to quantify and eliminate double-counting of export coal sales.

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EIA is requesting a three-year extension with no changes for the following mandatory emergency forms:

**Form EIA-6, “Emergency Coal Supply Survey (Standby)”**

Form EIA-6 collects weekly coal production and stocks data from U.S. coal mining companies when called upon during emergencies. Data is reported at the state level.

**Form EIA-20, “Emergency Weekly Coal Monitoring Survey for Coal Burning Power Producers (Standby)”**

Form EIA-20 collects data from coal-fired electric power generators during coal supply or transportation disruptions. The data collected includes available coal-fired capacity, generation, consumption, and stocks.

## **A.1. Legal Justification**

The authority for this mandatory data collection is provided by the following provisions:

- a. Section 13(b), 15 U.S.C. 772(b), of the Federal Energy Administration Act of 1974 (FEA Act), Public Law 93 275, states:
  - a. "All persons owning or operating facilities or business premises who are engaged in any phase of energy supply or major energy consumption shall make available to the (Secretary) such information and periodic reports, records, documents, and other data, relating to the purposes of this Act, including full identification of all data and projections as to source, time and methodology of development; as the [Secretary] may prescribe by regulation or order as necessary or appropriate for the proper exercise of functions under this Act."
- b. Section 5(b), 15 U.S.C. 764(b), of the FEA Act, states that to the extent authorized by Section 5(a), the [Secretary] shall:
  - a. (1) ...advise the President and the Congress with respect to the establishment of a comprehensive national energy policy in relation to the energy matters for which the Administration has responsibility, and, in coordination with the Secretary of State, the integration of domestic and foreign policies relating to energy resource management;
  - b. (2) ...assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public;
  - c. (3) ...develop effective arrangements for the participation of State and local governments in the resolution of energy problems;
  - d. (4) ...develop plans and programs for dealing with energy production shortages; ...
  - e. (5) ...promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise; ...

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- f. (6) ...assure that energy programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met; ...
  - g. (9) ...collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data; ...
  - h. (12) ...perform such other functions as may be prescribed by law."
  - c. As the authority for invoking Section 5(b), above, Section 5(a), 15 U.S.C. 764(a), of the FEA Act in turn states:
    - a. "Subject to the provisions and procedures set forth in this Act, the [Secretary] shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions...
      - i. (1) ...specifically transferred to or vested in him by or pursuant to this Act...
      - ii. (3) ...otherwise specifically vested in the (Secretary) by the Congress."
    - d. Authority for invoking Section 5(a) of the FEA Act is provided by Section 52, 15 U.S.C. 790a, of the FEA Act which states that the Administrator of the EIA:
      - a. "... (Shall) establish a National Energy Information System... which shall contain such information as is required to provide a description of and facilitate analysis of energy supply and consumption within and affecting the United States on the basis of such geographic areas and economic sectors as may be appropriate... to meet adequately the needs of..."
        - i. (1) ...the Department of Energy in carrying out its lawful functions;
        - ii. (2) ...the Congress;
        - iii. (3) ...other officers and employees of the United States in whom have been vested, or to whom have been delegated energy-related policy decision-making responsibilities;
        - iv. (4) ...the States to the extent required by the Natural Gas Act [15 U.S.C. 717 et seq.] and the Federal Power Act [16 U.S.C. 791a et seq.].
      - b. "...the System shall contain such energy information as is necessary to carry out the Administration's statistical and forecasting activities, and shall include, such energy information as is required to define and permit analysis of;"
        - i. (1) ...the institutional structure of the energy supply system including patterns of ownership and control of mineral fuel and non-mineral energy resources and the production, distribution, and marketing of mineral fuels and electricity;
        - ii. (2) ... the consumption of mineral fuels, non-mineral energy resources, and electricity by such classes, sectors, and regions as may be appropriate for the purposes of this Act;
        - iii. (5) ...industrial, labor, and regional impacts of changes in patterns of energy supply and consumption;

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- iv. (6) ...international aspects, economic and otherwise, of the evolving energy situation;
  - v. (7) ...long-term relationships between energy supply and consumption in the United States and world communities.

## A.2. Needs and Uses of Data

The purpose of the CMRS package of surveys is to collect fundamental statistics on United States coal production, preparation, distribution, trade, consumption, prices, quality, and stocks. EIA coal data and analyses are used by Congress, Federal agencies, State and local governments, and private entities to support policy and business decisions related to the coal and energy industries.

EIA relies upon coal data derived from these surveys for analyses. The following EIA publications/products use data supplied by one or more of the coal survey forms:

- [Daily Energy Report](#)
- [Today in Energy](#)
- [Weekly Coal Production Report](#)
- [Monthly Energy Review](#)
- [Quarterly Coal Report](#)
- [Quarterly Coal Distribution Report](#)
- [Annual Coal Report](#)
- [Annual Coal Distribution Report](#)
- [State Energy Profiles](#)
- [Coal Data Browser](#)

In addition, EIA uses coal data in short-term and long-term models, including the Short-Term Integrated Forecasting System and the National Energy Modeling System (NEMS) Coal Market Module. The forecasts are reported in the [Short-Term Energy Outlook](#) and the [Annual Energy Outlook](#) publications.

U.S. government and international agencies and the private sector use EIA coal data in their work. Examples include:

- [Federal Reserve Board, in its monthly Industrial Production and Capacity Utilization statistical release](#)



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- [Bureau of Economic Analysis](#)
  - [U.S. Geological Survey](#)
  - [International Energy Agency](#)
  - [Association of American Railroads](#)
  - [National Mining Association](#)

### A.3. Use of Technology

All EIA coal surveys in routine operation use Internet-based data collection systems as the primary means of data collection. The majority of contact with respondents (e.g., notification that a survey has opened for a collection cycle) is performed using email.

Internet data collection will continue to be the primary collection mode for the coal surveys. The Internet-based systems allow respondents to enter their data directly into the EIA survey databases, which reduces the time needed for data collection and processing. The systems identify reported data that fail edit specifications prior to submission, which allow respondents to make necessary corrections or explain unusual situations impacting the reported data. This data editing process reduces respondent burden by reducing the number of times a respondent must resubmit forms prior to acceptance by EIA. It also improves the timeliness of reporting the information to the public. The only equipment and software the respondent requires is a connection to the Internet and a standard industry web browser.

Standby Forms EIA-6 and EIA-20 are not in an Internet-based data collection system. In the event that these surveys are activated, EIA will request that respondents utilize email for data collection.

### A.4. Efforts to Identify Duplication

EIA reviews and evaluates coal industry information available from a variety of sources, including other Federal agencies, industry trade associations, State governments, and commercial information services, to identify instances of duplication. Additionally, in the public notices and consultations associated with the triennial re-clearance of the coal program, EIA encourages respondents and data users to identify alternate sources of the coal information EIA proposes to collect. Instances of potential data duplication identified by EIA are evaluated in terms of data coverage, level of aggregation, frequency of collection, data reliability, and statutory requirements to determine whether alternate data sources represent a suitable substitute for EIA data.

There is one instance in which EIA collects coal data similar, though not duplicative, of information collected by another federal agency. The U.S. Census Bureau collects quantity and value of coal exports and imports, country of destination or origin, and port of import/export. EIA collects similar information

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about coal exports on Form EIA-8A, but in terms of the origin state. The Census Bureau data provides no linkage between exports and the origin of the exported coal.

There is potential overlap between Form EIA-3, which collects data on coal use by industrial and other non-power generation users of coal, and Form EIA-923 “Power Plant Operations Report,” which collects data on fuel receipts and fuel use by power generators. The overlap can arise in the case of combined heat and power (CHP) plants, which consume coal both to generate electricity and produce heat for a manufacturing process. EIA compares the frames of these surveys to identify any overlap.

There is potential overlap between Form EIA-8A, which collects data on coal stocks owned by intermediary parties such as brokers, and Form EIA-923 “Power Plant Operations Report,” which collects data on coal stocks at remote locations (such as river terminals), but dedicated to use at power plants. Because power generators take ownership of coal once it is loaded into transport, overlap with Form EIA-8A respondents (intermediaries that own the coal) is minimal. Any entity that could report stocks on both surveys is directed to complete only Form EIA-923.

There is no double-count between the data collected on these questions and the coal mine production data. The data are collected at distinct and different points in the supply chain. Exports are captured on Form EIA-8A if a broker is used, and on Form EIA-7A if the mine exports the coal directly.

## **A.5. Provisions for Reducing Burden on Small Businesses**

EIA recognizes the need to minimize the reporting burden on small businesses and designs data surveys so that small operations are not unduly affected. Additionally, EIA has established reporting thresholds for surveys likely to affect small businesses. These thresholds either eliminate the reporting requirement for small businesses or limit the amount of information they are asked to supply.

Excluding coke plants, reporting on Form EIA-3, “Quarterly Survey of Industrial, Commercial, & Institutional Coal Users,” is limited to non-electric sector sites (e.g., manufacturers, hospitals, universities, and correctional facilities) that consume more than 1,000 short tons of coal annually.

Reporting on Form EIA-7A, “Annual Survey of Coal Production and Preparation,” is limited to U.S. coal mining companies that produce 25,000 or more short tons of coal during the reporting year, except for anthracite mines. All anthracite mines that produced 10,000 or more short tons during the reporting year must submit Form EIA-7A. Standalone facilities (e.g., preparation plant/tipple/loading dock/train load-out) that worked 5,000 or more hours must submit Form EIA-7A.

Reporting on Form EIA-8A, “Annual Survey of Coal Stocks and Coal Exports,” is limited to coal brokers, coal traders, and coal terminals in the 50 United States and the District of Columbia that own stocks of 10,000 or more short tons of coal originating in the United States on December 31st of the reporting year or exported coal originating in the United States during the reporting year. Companies that take

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custody (physical possession) of the coal and transport, but never own, the coal need not report. Companies that report coal stocks on the EIA-923, “*Power Plant Operations Report*,” need not report.

## **A.6. Consequences of Less-Frequent Reporting**

The non-standby coal forms in this package represent one quarterly survey (EIA-3) and two annual surveys (EIA-7A and EIA-8A). Less frequent reporting on any of these three forms would prevent EIA from meeting its mandate of providing timely, essential, and reliable information.

EIA has reduced the reporting frequency for data on coal production through an agreement with the Mining Safety and Health Administration (MSHA). Under the agreement MSHA provides EIA with quarterly coal production data and EIA assists MSHA with the quality review and correction of the data.

EIA also uses an estimation process based on railroad car loading data to provide weekly estimates of coal production. These estimates provide a more current, but preliminary view of coal production until the EIA-7A Annual Survey of Coal Production and Preparation data are able to provide final values.

The EIA-8A data is collected annually because it is a small piece of total coal disposition and does not collect data on the consumption or production of coal. The EIA-7A data is collected annually because

- 1) MSHA coal production is reported quarterly. Under a long-standing agreement the data collected by MSHA is forwarded to EIA for quality review. After any quality issues are identified by EIA and resolved by MSHA the data is available for publication by EIA.
- 2) By making use of data published by the Association of American Railroads on weekly loadings of coal cars, it is possible for EIA to estimate weekly coal production (see: <https://www.eia.gov/coal/production/weekly/>).

Industrial and commercial consumption of coal totals about 50 million tons annually and accounts for seven percent of total coal consumption. This is too large an amount to collect only annually, and EIA has no alternative data source

## **A.7. Compliance with 5 CFR 1320.5**

All EIA coal surveys are operated in accordance with the guidelines in 5 CFR 1320.5. In the event of a coal supply disruption, information could be collected weekly on proposed Forms EIA-6 and EIA-20. This weekly frequency is justified by the need to provide rapid response during such a supply disruption to prevent adverse national economic impacts.

## **A.8. Summary of Consultations Outside of the Agency**

EIA conducted 19 cognitive interviews made up of four EIA-3 respondents, 11 EIA-7A respondents, and four EIA-8A respondents. Explanatory cognitive interviews were conducted for six EIA-7A respondents

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during September 28-29, 2015 in the St. Louis, MO area and September 30 – October 1, 2015 in Montana and Wyoming. Cognitive interviews for four EIA-3 respondents and five EIA-7A respondents were conducted during March 21-25, 2016 in the Birmingham area of Alabama and during April 11-14, 2016 outside of Pittsburgh, Pennsylvania. Four EIA-8A respondents were cognitively interviewed via telephone at the EIA headquarters beginning on March 3<sup>rd</sup> and ending on March 31<sup>st</sup>. EIA selected a sample of companies to participate including companies of varying size and location of their operation.

The objectives of the cognitive research were to: identify areas of survey specification errors that respondents are reporting inconsistently and/or applying different assumptions in their reported values; explore proposed changes to questions and survey design to reduce specification and measurement errors; collect information on the respondents' understanding of the current questions and data elements; and assess respondents' ability to report on additional data elements and design changes that supplement existing parts of the survey forms.

On September 16, 2016, EIA published a [Federal Register notice at 81 FR 63750](#) outlining proposed changes to the Coal Program Package and inviting interested parties to comment. An email was sent out notifying recipients of the 60-day FRN and of a webinar explaining the proposed survey changes. Recipients included all respondents for the EIA-3, EIA-7A, EIA-8A surveys, trade associations, and the list of entities receiving the Weekly Coal Report, Quarterly Coal Report, and/or Coal Distribution Report. EIA sent emails to the Mine Safety and Health Administration, the Census Bureau, and the National Mining Association notifying them of the 60-day Federal Register notice. On November 9, 2016, EIA held a webinar briefing on the coal clearance for 35 attendees (all remote), representing coal producing companies, coal consuming companies, trade associations, and coal data users. The briefing reviewed the survey changes proposed in the 60-day FRN and presented an opportunity to receive stakeholder comments. The webinar also presented information on where to find the FRN and proposed changes online, when and where to send comments, and when new forms will be active if approved.

Five comments were received in response to the September 16, 2016 FRN. The comments and EIA responses are contained in the Public Comments File.

## **A.9. Payments or Gifts to Respondents**

There will not be any payments made or gifts given to respondents as an incentive to complete the coal surveys.

## **A.10. Provisions for Protection of Information**

For the active surveys (Forms EIA-3, EIA-7A, and EIA-8A) the provisions provide for the application of disclosure protection procedures to revenue and price data, but these procedures are not applied to other aggregate statistical data. The reason for not applying disclosure protection procedures to the

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non-revenue and non-price data is to avoid suppressing many data cells in coal data reports, a problem with the coal publications until this approach to disclosure protection was adopted at the last clearance of the coal surveys. EIA does not apply cell suppression methodology on other energy surveys where the application of a data protection methodology compromises the utility of the data.

The specific information protection provisions for each survey are shown below.

**Form EIA-3:** The information reported will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

Data protection methods are applied to the cost data reported in Parts 3 and 4 to ensure that the risk of disclosure of identifiable information is very small. Data protection methods are not applied to the other aggregate statistical and quantity data published from this survey. Thus, there may be some statistics that are based on data from fewer than three respondents, or that are dominated by data from one or two large respondents. In these cases, it may be possible for a knowledgeable person to estimate the information reported by a specific respondent.

**Form EIA-7A:** The name and address of the responding company, the mine type or plant type, and location is considered public information and may be released in company identifiable form. All other information reported on this form will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

Data protection methods are applied to the "Total Revenue" from "Open Market Sales," "Captive Market Sales," and "Export Coal Sales" reported in Part 5 to ensure that the risk of disclosure of identifiable information is very small. Data protection methods are not applied to the other aggregate statistical data published from this survey. Thus, there may be some statistics that are based on data from fewer than three respondents, or that are dominated by data from one or two large respondents. In these cases, it may be possible for a knowledgeable person to estimate the information reported by a specific respondent.

**Form 8A:** The information reported will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

Data protection methods are applied to the total revenue of coal exported from each origin state, reported in Part 3, to ensure that the risk of disclosure of identifiable information is very small. Data protection methods are not applied to the other aggregate statistical data published from this survey. Thus, there may be some statistics that are based on data from fewer than three respondents, or that are dominated by data from one or two large respondents. In these cases, it may be possible for a knowledgeable person to estimate the information reported by a specific respondent.

**Form EIA-6 (standby survey):** The name and address of the responding company, the mine type or plant type, and location reported is considered public information and may be released in company

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identifiable form. All other information reported on this form will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

**Form EIA-20** (standby survey): The information reported in Part 1, Question 1 and Part 2, Questions 1 and 4 is considered public information and may be released in company identifiable form. All other information reported on this form will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

For both standby **Form EIA-6** and **Form EIA-20** the following statement is included:

Data protection methods are applied to the statistical data published from survey information to ensure that the risk of disclosure of identifiable information is very small.

The following paragraph is also included in Forms EIA-3, 6, 7A, 8A, and 20:

The Federal Energy Administration Act requires the U.S. Energy Information Administration to provide company-specific data to other Federal agencies when requested for official use. The information reported on these forms may also be made available, upon request, to another component of the Department of Energy (DOE); to any Committee of Congress, the U.S. Government Accountability Office, or other Federal agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order. The information may be used for any non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

## A.11. Justification for Sensitive Questions

The coal data collections do not contain questions of a sensitive nature.

## A.12. Estimate of Respondent Burden Hours and Cost

The new total annual burden is estimated to be 5,059 hours (see Table A1, below). Together, the surveys (including an estimate for the standby surveys) collect data from 1,347 respondents, a decrease due to a decline in the number of coal mines, coal brokers, and number of coal users in the industrial, commercial, and institutional sectors. Based on the estimated rate of \$73.66 per hour for employees who would complete these forms, the total annual respondent cost for all forms is estimated to be:

$$\$73.66/\text{hour} \times 5,059 \text{ hours/year} = \$372,646$$

An average cost per hour of \$73.66 is used because that is the average loaded (salary plus benefits) cost for an EIA employee assigned to data survey work. EIA assumes that the survey respondent workforce completing surveys for EIA is comparable with EIA workforce.

**Table A1 Estimated Respondent Burden**

EIA Form Number/Title	Annual Reporting Frequency	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours
EIA-3, Quarterly Survey of Industrial, Commercial, & Institutional Coal Users	4	432	1,728	1.25	2,160
EIA-7A, Annual Survey of Coal Production and Preparation	1	848	848	3.25	2,756
EIA-8A, Annual Survey of Coal Stocks and Coal Exports	1	48	48	1	48
EIA-6, Emergency Coal Supply Survey (Standby)	10	11	110	0.5	55
EIA-20, Emergency Weekly Coal Monitoring Survey for Coal Burning Power Producers (Standby)	10	8	80	0.5	40
<b>TOTAL</b>		<b>1,347</b>	<b>2,814</b>		<b>5,059</b>

For the standby surveys to be used only in the case of a coal supply or transportation emergency, the standby surveys would be operated on a weekly frequency over a ten week period. The number of respondents was calculated as follows:

(Total number of coal mining companies [EIA-6] or coal-fired power plants [EIA-20]) multiplied by

(Percentage of facilities affected [assumed to be 25%]) multiplied by

(Probability of a disruption occurring in a year [assumed to be 10 %] equals

(Probability-weighted number of respondents, rounded to a whole number)

For the EIA-6 the calculation is: (453 coal mining companies x 25%) x 10% = 11 respondents

For the EIA-20 the calculation is: (337 coal-fired power plants x 25%) x 10% = 8 respondents

The assumed duration of the emergency was assumed to be 10 weeks for both surveys.

### A.13. Annual Cost to the Federal Government

The estimated annualized cost to the government for the coal surveys, including personnel, forms development, maintenance, data collection, and processing is approximately \$539,000 (see table below). The overall annual costs to the Federal Government are larger than the previous authorized cycle due to an increase in the average loaded cost for an EIA employee.

<b>ANNUAL COST TO THE FEDERAL GOVERNMENT, COAL FORMS (ESTIMATED)</b>	
Data Collection and Processing	\$334,000
System Maintenance and Enhancement	\$205,000
Total	\$539,000

#### **A.14. Changes in Burden**

The estimated change in annual burden is 1,295 burden hours (increase of approximately 34%), shown in Table A2 below.



Table A.2 Changes in Burden

EIA Form Number/Title	Annual Reporting Frequency	Number of Respondents (OLD)	Number of Respondents (NEW)	Annual Number of Responses (OLD)	Annual Number of Responses (NEW)	Burden Hours Per Response (OLD)	Burden Hours Per Response (NEW)	Annual Burden Hours (OLD)	Annual Burden Hours (NEW)	Change Due to Agency Estimate	Change Due to Agency Discretion	Total Change
EIA-3, Quarterly Survey of Industrial, Commercial, & Institutional Coal Users	4	494	432	1976	1728	1.25	1.25	2470	2160	-310	0	-310
EIA-7A, Annual Survey of Coal Production and Preparation	1	1208	848	1208	848	1	3.25	1208	2756	-360	1908	1548
EIA-8A, Annual Survey of Coal Stocks and Coal Exports	1	86	48	86	48	1	1	86	48	-38	0	-38
EIA-6, Emergency Coal Supply Survey (Standby)	10	0	11	0	110	0.5	0.5	0	55	55	0	55
EIA-20, Emergency Weekly Coal Monitoring Survey for Coal Burning Power Producers (Standby)	10	0	8	0	80	0.5	0.5	0	40	40	0	40

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## A.15. Reasons for Changes in Burden

- The number of respondents reporting on Form EIA-3 decreased by 62 from the previous clearance cycle resulting in a burden reduction of 310 hours.
- The burden hours per response estimate for Form EIA-7A increased from 1 hour to 3.25 hours based on the results from the cognitive research on this survey and the addition of new survey questions to the survey form resulting in an increase of 1,908 hours shown in Table A.2 as a change due to agency discretion. The number of respondents reporting on Form EIA-7A decreased by 360 from the previous clearance resulting in a reduction of 360 hours. This resulted in a net increase in burden of 1,548 hours for Form EIA-7A.
- The number of respondents reporting on Form EIA-8A decreased by 38 from the previous clearance cycle resulting in a burden reduction of 38 hours.
- The prior clearance provided no estimate of the burden hours associated with standby Forms EIA-6 and EIA-20. This clearance provides burden hours in the event these forms are activated, thereby resulting in an increase in burden of 55 hours for Form EIA-6 and 40 hours for Form EIA-20.

The estimated changes to respondent burden for the individual forms contained in this package are shown in Table A2.

## A.16. Collection, Tabulation, and Publication Plans

Plans to tabulate and publish data collected by the coal data collection forms are described below.

### a. Weekly Standby Forms

The weekly standby Forms EIA-6 (coal production) and EIA-20 (coal consumption and stocks at power plants) will be used to collect data during coal supply disruptions. The number of mining companies or generators who will be asked to respond will depend on the nature and extent of the emergency. During supply disruptions, the forms must be submitted no later than 5pm Eastern Standard Time each Monday after the seven-day reporting period. The reporting period is Saturday midnight to Saturday midnight of the following week. Data will be published weekly on the EIA web site. The type of data and publication format will depend on circumstances and the data protection terms of the surveys.

### b. Quarterly Form

Quarterly Form EIA-3 will be used to collect data on the volume and characteristics of coal used at industrial, commercial, and institutional coal consumers. The quarterly forms are due one month after the close of each calendar quarter.

Form EIA-3 data will appear in the following reports:

- [Monthly Energy Review](#)

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- [Quarterly Coal Report](#)
  - [Quarterly Coal Distribution Report](#)
  - [Annual Coal Report](#)
  - [Annual Coal Distribution Report](#)

### **c. Annual Forms**

Annual Form EIA-7A collects information on coal production and related information from U.S. coal mining operations. Form EIA-8A collects coal stocks and export data from U.S. coal brokers, coal traders, and coal terminals.

Data collected will appear in the following reports:

- [Monthly Energy Review](#)
- [Annual Coal Report](#)
- [Annual Coal Distribution Report](#)
- [State Energy Profiles](#)

## **A.17. OMB Number and Expiration Date**

The OMB Number (1905-0167) and expiration date will be displayed on all the data collection forms and instructions.

## **A.18. Certification Statement**

There are no exceptions to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I. This information collection request complies with 5 CFR 1320.9.