

1 Supporting Statement A Reclamation Awards

OMB Control Number 1029-0129

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 approval to collect information for our annual call for nominations for our Excellence in Surface Coal Mining Reclamation Awards and Abandoned Mine Land (AML) Reclamation Awards. Since 1986, the Office of Surface Mining has presented awards to coal mine operators who completed exemplary active reclamation. A parallel award program for abandoned mine land reclamation began in 1992. The objective is to give public recognition to those responsible for the nation's most outstanding achievement in environmentally-sound surface mining and land reclamation and to encourage the exchange and transfer of successful reclamation technology. This collection request seeks a three-year term of approval.

Specific Instructions

A. Justification

1. ***Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.***

Authority for the Reclamation Awards stems from §102 of the Surface Mining Control and Reclamation Act of 1977 (the Act), which states that one purpose of the Act is to “(l) stimulate, sponsor, provide for and/or supplement present programs for the conduct of research investigations, experiments, and demonstrations, in the exploration, extraction, processing, development, and production of minerals ...” The Act was created to ensure that land mined for coal would be restored to beneficial use as part of the mining process, and that lands abandoned without reclamation prior to the law would be reclaimed as well. These awards have been established to give well-earned public recognition to those

responsible for the nation's highest achievements in abandoned mine land reclamation, and who have developed innovative reclamation techniques or who have completed reclamation that resulted in outstanding on-the-ground performance.

The Excellence in Surface Coal Mining Reclamation Awards:

This awards program is designed so that state and Federal regulators can transfer outstanding reclamation methods and techniques to the coalmine operators who work under the Surface Mining Law nationwide. The winners are the coal mine operators who developed innovative reclamation techniques or who have completed reclamation that resulted in outstanding on-the-ground performance. Today, active, producing mines are being turned into farmland and parks, housing sites and habitat. Nominations may be submitted by coal companies, regulatory authorities, state or Federal mine inspectors, interest groups, or landowners. Company officials and employees may nominate their own operations.

There are two* Excellence in Surface Coal Mining Reclamation Awards. They are:

National Awards. This award is presented to coal mining companies for achieving the most exemplary mining and reclamation in the country. A coal mining operation may be nominated for achievement in a specific portion of the reclamation (e.g., design and implementation of sedimentation control practices) or for overall performance in meeting goals of the Surface Mining Law.

Good Neighbor Awards. Operations will be selected to receive Good Neighbor Awards for successfully working with the surrounding land owners and the community while completing mining and reclamation. Nominations for this category briefly describe the mining and reclamation operation (both narrative and photos), and include testimonial letters and/or other documentation of a successful good neighbor policy.

** In previous years, the bureau selected one entry for a Director's Award. This award was presented to one coal mining operation for outstanding achievement in a specific area of reclamation. Example: the Director's Award for 2011 was presented for a project that demonstrated exemplary use of geomorphic reclamation techniques. OSMRE did not present a Director's Award in 2017 and is not soliciting nominations for the award in 2018.*

The Abandoned Mine Land Reclamation Awards:

The Surface Mining Law was enacted to ensure that lands mined for coal would be restored to beneficial use as part of the mining process, and that lands abandoned without reclamation prior to the law would be reclaimed as well. Today, abandoned mine land reclamation funded under the Surface Mining Law has eliminated thousands of dangerous health, safety and environmental problems resulting from abandoned mine lands throughout the country. Abandoned mines can harm the environment and endanger the lives and health of those living in the coal fields. Eliminating these problems through reclamation requires specialized skills, innovative thinking and dedication. To give well-earned public recognition to those responsible for the nation's most outstanding

achievements in abandoned mine land reclamation OSMRE began the annual Abandoned Mine Land Reclamation Awards Program in 1992. The awards program publicly recognizes outstanding abandoned mine land reclamation and publicizes exemplary reclamation techniques.

Abandoned mine land projects funded wholly or in part by the AML Reclamation Fund and completed by approved state or tribal programs are eligible for an award. This includes all coal, non-coal, high-priority and emergency projects. Abandoned mine reclamation completed by citizen groups or other non-state/non-tribal organizations are not eligible for these awards. One project may be submitted by each state or tribal program each year.

In 2017, OSMRE gave five AML Reclamation Awards: one national award, one national award for small projects and one award in each of OSMRE's three regions. Any entry is eligible for the national award.

In 2017, OSMRE also gave three Excellence in Surface Coal Mining Reclamation Awards: two National Awards and one Good Neighbor Award.

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.***

The information collected is used by OSMRE to select the winners of the Excellence in Surface Coal Mining Reclamation Awards and the AML Reclamation Awards. Individuals, organizations, or groups can nominate themselves for an award or be nominated by a third party.

The Excellence in Surface Coal Mining Reclamation Awards are submitted to OSMRE Field Offices and Regional Offices for initial review, and then passed on to a panel of judges at OSMRE Headquarters .

Nominations for the AML Reclamation Awards are reviewed by a panel of OSMRE and state program judges who select the winners. The information collected is also used to assure the integrity of the awards program (so that, for example, an individual or organization does not receive an award twice for the same project), for reporting on the accomplishments of the program, for the public awareness campaign (such as in press releases and website information on winning projects) and to further the purposes of the Act (such as fostering partnerships and coordination of projects). The information provided is similar for each award.

Question Justification:

Part A:

The nominator must provide a cover sheet which includes the name of the nominated company and project; the location of the operation or project; the name, address, phone number and email address of those submitting the nomination and the contact person at the operation; the type of award being nominated, the permit number, and names and titles of those responsible for the reclamation project when nominating for the Excellence in Surface Coal Mining awards; and the project start and completion dates and construction costs for the AML Reclamation Awards.

Nominator contact information is used in communicating with that individual, to confirm the nomination information, to seek any information that was omitted and to collect supporting materials, such as press releases, photos or other details pertaining to the project to be used in publicizing the awards and for use in the public awareness campaign. Information collected about the nominated individuals or companies is used for identification and correspondence, and is used in publicizing the award. Award categories are used to group similar organizations and projects with like organizations and projects to ensure fair judging and to divide nominees into National Award categories.

Part B:

The nominator must provide a description of the work that resulted in exemplary abandoned mine land reclamation for the AML Reclamation Awards; and a description of the specific reclamation or environmental control techniques that resulted in exemplary performance under the Surface Mining Law for the Excellence in Surface Coal Mining Reclamation Awards.

The information given here serves as the basis for the nomination and is used in the judging process. This information is also used in publicizing the award and for use in the public awareness campaign. The information may also be used for awards brochures, other publicity, and for other purposes under the Act.

Part C:

The nominator must provide color photographs (and maps, diagrams or graphics for the AML Reclamation Awards). The photographs should show the specific activity and the surrounding reclamation or conditions. Once the judges have made their final decision further photographs on CD and digital tape may be requested.

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 AML Reclamation Awards collection of the information is through electronic

submission, estimated at 100% of all nominations. The nominations are submitted by email to OSMRE, and loaded onto OSMRE's Web page at www.osmre.gov/awards.htm, and judging is conducted electronically. The Excellence in Surface Coal Mining Reclamation Awards are submitted in paper format, with digital tape or CD's submitted by winners. OSMRE may require these award nominations to be submitted electronically in the near future.

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.***

There are several award programs within or sponsored by the Federal government. We are not aware of any other Federal agency that collects this information. OSMRE is the only Federal agency charged with implementation of Title IV and Title V of the Surface Mining Control and Reclamation Act which these awards are based.

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 companies and organizations to respond to the award nominations.

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 collection is conducted annually and a reduction in the frequency of collection is not practical. If nominations for companies or organizations/groups were limited to only those nominated by Federal agencies, this would severely restrict the application and purposes of the awards. This program is designed to honor the best in the Nation, without restriction; thus it would reflect poorly on the Department if nominations were made solely by OSMRE employees.

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.

In December 2017, OSMRE obtained answers from five respondents that worked with either the AML or Active Mine Awards, or both, to determine the estimated burden to complete each call for nominations for the awards. They were:

OSMRE Program Analyst
OSMRE
Washington, DC

Mine Engineer
Coal Producer
Gillette, WY

State AML Engineer/Manager
Commonwealth of Pennsylvania
Ebensburg, PA

State AML Communications Officer
State of Virginia

Abandoned Mine Lands Administrator/Engineer
State of Ohio
Columbus, OH

Burden estimates for these awards discussed below are based on the responses that we received from these individuals and our experience as reviewers and judges for the awards. No person contacted expressed concerns with the availability of data, frequency of collection, clarity of instructions, or data elements reported.

On January 31, 2018, OSMRE published in the Federal Register (83 FR 4514) 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 nominations.

Reclamation Award winners receive certificates and an invitation to the annual Awards Ceremony. Invitees are responsible for their own transportation and lodging. There is no monetary award.

Award winners take pride in the certificates they receive, and publicize these achievements.

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

No confidential information is solicited.

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

Based on discussions with those individuals contacted in item 8 above, we estimated the following burden:

Excellence in Surface Coal Mining Reclamation Awards

The respondent from the coal producer provided the following answers:

The burden for coal producers to review the directions, prepare the package, and submit the nomination to the State regulatory authority was estimated to be 17 hours. There were 14 nominations received for these awards in 2017. Therefore, 17 hours x 14 nominations = 238 hours.

Each State regulatory authority screens the nominations received and forwards the best entries to OSMRE requiring an average of 2 hours to review each award nomination. Therefore, 2 hours x 14 nominations = 28 hours.

Therefore, the burden to respondents for the Excellence in Surface Coal Mining Reclamation Awards is 266 hours (238 hours for industry + 28 hours for State Regulatory Authority reviews).

AML Reclamation Awards

The burden to State/Tribal nominees to review the directions, prepare the package, and submit the nomination directly to OSMRE was estimated to be from 45 to 85 hours, with an average of 67 hours. Therefore, 67 hours x 11 nominations = 737 hours.

In addition, each of the 26 State and Tribal reclamation authorities with an approved AML program is eligible to cast their vote for nominations to the AML Reclamation Awards (in addition to the OSMRE AML managers). Each State and Tribe expends approximately 8 hours reviewing all nominations and casting a vote. Therefore, the burden to the States and Tribes is estimated to be 26 respondents x 8 hours = 208 hours.

Therefore, the burden for the AML Reclamation Awards is 945 (737 hours for State/Tribal nominees + 208 hours for State/Tribal judges).

b. Estimated Wage Cost to Respondents:

OSMRE has estimated wage costs for industry respondents as \$59.40 per hour (for mining and geological engineers), \$80.53 for State/Tribal engineering managers, and \$57.99 for State/Tribal environmental scientists. OSMRE has derived these wages from the Bureau of Labor Statistics (BLS) websites at (https://www.bls.gov/oes/current/naics4_212100.htm#19-0000 for industry wages, and <https://www.bls.gov/oes/current/oes192041.htm> for state employee wages. These estimates include benefits calculated using a rate of 1.4 of the salary for industry personnel and 1.6 for state employees per the BLS news release USDL-18-0451, Employer Costs for Employee Compensation – December 2017, dated March 20, 2018 (<http://www.bls.gov/news.release/pdf/ecec.pdf>).

| Wage Cost | | | | |
|-----------------------------------|----------------------|--------------------------------|---------------------|-----------------------------------|
| Award Type | Hours Per Respondent | Hourly Rate with Benefits (\$) | Number of Responses | Wage Costs for All Responses (\$) |
| Excellence Award Nominee | 17 | 59.40 | 14 | 14,137 |
| Excellence Award State Processing | 2 | 80.53 | 14 | 2,255 |
| AML Award Nominee | 67 | 57.99 | 11 | 42,739 |
| AML Award Judging | 8 | 80.53 | 26 | 16,750 |
| Total | 0 | | 0 | 0 |

The wage cost for all respondents for the Excellence in Surface Coal Mining Reclamation Awards is \$16,392 (\$14,137 for nominees + \$2,255 for State/Tribal review).

The wage cost for all respondents (State/Tribes) for the AML Reclamation Awards is \$59,489 (\$42,739 for State/Tribes to prepare nominations + \$16,750 for State/Tribal judges).

Therefore, the estimated total annual wage cost for all respondents is \$75,881.

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.**

The non-wage costs associated with this information collection is for travel to the minesite, producing the digital photography, preparation of the nomination package, and copying expenses. At \$100 per response, the cost to all nominees is \$2,500 (14 respondents for Excellence Awards x \$100 + 11 respondents for AML Awards x \$100).

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.**

Estimated Cost to the Federal Government.

Wage costs for OSMRE employees are calculated based on the Office of Personnel Management website https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/RUS_h.pdf. Salaries for Federal employees include benefits at a rate of 1.6 per the BLS news release USDL-18-0451 mentioned above).

Excellence in Surface Coal Mining Reclamation Awards

OSMRE field offices receive the nominations from the State regulatory authorities, evaluate them, and forward the nominations to OSMRE Headquarters for judging, requiring 1 hour to review each, or 14 hours for all nominations.

Five OSMRE judges meet for 1 day (7 hours) evaluating the nominations and selecting the winners, or 35 hours to judge and select the winners.

Assuming a salary of \$55.99 per hour, or \$89.58 per hour with benefits for OSMRE field office management as well as the OSMRE judges, the estimated Federal burden for the Excellence in Surface Coal Mining Reclamation Awards is $\$89.58 \times 35 \text{ hours} = \$3,135$.

AML Reclamation Awards

Nominations are received by OSMRE Headquarters directly from the State/Tribal reclamation authorities, without submission to OSMRE field offices.

OSMRE's 18 AML reclamation managers are invited to judge these awards with the State/Tribal managers. Each of the OSMRE judges requires 8 hours to review all of the awards, or 144 hours for all of the OSMRE judges.

Assuming a salary of \$89.58 per hour as discussed above, the estimated Federal burden for the AML Reclamation Awards is $\$89.58 \times 144 \text{ hours} = \$12,900$.

Therefore, the cost to the Federal government to process and judge these awards is $\$3,135 + \$12,900 = \$16,035$.

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

As discussed in response to question 12, above, we estimate that we will receive 25 nominations each year for the Reclamation Awards, 14 nominations for the Excellence in Surface Coal Mining Reclamation Awards and 11 for the Abandoned Mine Land Reclamation Awards. The total burden for all nominees, State review time of the Excellence in Surface Coal Mining Reclamation Awards, and the time for State and Tribal nomination and judging for the AML Reclamation Awards is 1,211 hours.

This information collection request reduces the burden currently approved by OMB by 414 hours. This is the result of a reduction in the estimated respondent burden to prepare the nomination packages for both types of awards. Therefore, the burden changes as follows:

| |
|---------------------------------------|
| 1,625 hours currently approved by OMB |
| - <u>414</u> hours due to adjustments |
| 1,211 hours requested |

This information collection request does not adjust the non-wage cost burden currently approved of \$2,500.

- 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.***

Although winning projects are publicized for the Awards Ceremony and for the public awareness campaign, other data tabulations will only be used to show coverage of the awards and results and accomplishments of the program. No complex analytical techniques are used.

Information on the Reclamation Awards, and prior award winners, is posted on the Reclamation Awards website at: <http://www.osmre.gov/programs/Awards.shtm>.

- 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.***

We will show the expiration date upon OMB approval.

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

OSMRE is not requesting exceptions to the certification.