

Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Information Collection Request
Supporting Statement
1140-0071

Notification to Fire Safety Authority of Storage of Explosive Materials

A. JUSTIFICATION

1. Necessity of Information Collection

Under Title 18 U.S.C. Section 842 (j), the Attorney General (AG) has the authority to issue regulations governing the storage of explosive materials. Title 18 U.S.C. Section 842, (j) further provides that in promulgating such regulations, the standards of safety and security recognized in the explosives industry, shall be taken into consideration. Title 18 U.S.C. Section 846, gives the AG the authority to inspect the site of any accident or fire, in which there is reason to believe that explosive materials were involved, so that precautions may be taken to prevent similar accidents in the future. This provision gives the AG the authority to issue regulations that are intended to prevent accidents involving explosives. ATF is concerned with the safety of emergency response personnel responding to fires on sites where explosives are stored. Consequently, 27 CFR Part 555.201(f), requires that any person who stores explosive materials, shall notify the fire safety authorities for that jurisdiction about the type, magazine capacity, and location of all stored explosive materials.

2. Needs and Uses

This information collection is necessary to ensure the safety of emergency response personnel responding to fires at sites where explosives are stored. The required information is provided, both orally and in writing, to local fire safety authorities for the jurisdiction where explosives materials are stored

3. Use of Information Technology

ATF requires that the required information be given both orally and in writing rather than by means of more advanced technology, since some affected small businesses may not have access to electronic means of communication to fulfill this reporting requirement. Additionally, the requirement for oral and written notification to fire safety authorities is in accordance with 27 CFR 555.201(f).

4. Efforts to Identify Duplication

There is no duplication of this information collection, since the information sought is not attainable from any other source. Prior to 27 CFR 555.201(f), there was no other consistent means to collect the required information. The absence of such notification

requirement had deleterious consequences for emergency response personnel responding to fires where explosives were stored.

5. Minimizing Burden on Small Businesses

The collection of information will significantly impact small businesses.

6. Consequences of Not Conducting or less Frequent Collection

The safety of emergency response personnel responding to fires on sites where explosives are stored, would be severely jeopardized if the collection is not conducted, or is conducted less frequently.

7. Special Circumstances

This information will be collected in a manner consistent with the guidelines in 5 CFR 1320.6

8. Public Comments and Consultations

No public comments were received during either the 60-day or the 30-day Federal Register Notice periods.

9. Provision of Payments or Gifts to Respondents

No payment or gift is associated with this collection.

10. Assurance of Confidentiality

Written notification to the fire safety authority regarding explosives storage locations, will be kept, by the person storing explosive materials, in a secured location. Confidentiality is not assured.

11. Justification for Sensitive Questions

No questions of a sensitive nature are being asked.

12. Estimate of Respondent's Burden

The number of respondents associated with this collection is 975. Each respondent will respond one time. The total number of responses is 975. The time it takes for notification is 30 minutes. Therefore, the total burden hours associated with this information collection is 487.5 which was rounded up to 488.

13. Estimate of Cost Burden

The only cost to each respondent is postage for submitting the required information in the form of a letter to the fire safety authority having jurisdiction. ATF estimates this

cost based on the new postage increase from 49 cents to 50 cents. Therefore total cost has been rounded to \$488.

14. Costs to the Federal Government

There is no cost to the Federal government.

15. Reason for Change in Burden

The change in burden, i.e. a reduction in total responses and burden hours by 50 and 25 respectively, is due to less respondents to this information collection, since the previous renewal in 2015. Despite these reductions, the cost burden for this collection has actually increased by \$27, due to an increase in mailing costs from 45 cents in 2015, to 50 cents in 2018.

16. Anticipated Publication Plan and Schedule

The results of this collection will not be published.

17. Display of Expiration Date

ATF does not request approval to not display the expiration date of OMB approval.

18. Exception to the Certification Statement.

There are no exceptions to the certification statement.

B. STATISTICAL METHODS

None