

**SUPPORTING STATEMENT OMB NO. 0579-0232
STANDARDS FOR PRIVATELY OWNED QUARANTINE
FACILITIES FOR RUMINANTS**

April 2019

NOTE: This is a reinstatement of a previously approved information collection with changes.

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.

The Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease.

The AHPA is contained in Title X, Subtitle E, Sections 10401-18 of P.L. 107-171, May 13, 2002, the Farm Security and Rural Investment Act of 2002.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing the United States' ability to compete in the world market of animal and animal product trade.

The Animal and Plant Health Inspection Service (APHIS) provides standards for the approval, operation, and oversight of privately owned quarantine facilities for imported ruminants prior to their release into the United States to protect against the introduction of foreign animal diseases. These standards trigger a number of information collection activities when applicants apply for approval to establish and operate privately owned quarantine facilities. These information collection activities include the writing of application letters, the maintenance of daily logs, and the writing of variance requests.

APHIS is asking the Office of Management and Budget (OMB) to approve, for 3 years, its use of this information collection activity, associated with its efforts to maintain a system whereby private businesses can operate (with APHIS oversight) their own facilities for the quarantine of imported ruminants.

2. Indicate how, by whom, how frequently, 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.

APHIS uses the following information activities associated with its efforts to maintain a system whereby private business can operate (with APHIS oversight) their own facilities for the quarantine of imported ruminants.

Application Letter (Business and State) - 9 CFR 93.412(d)(1)(i)

Anyone desiring to obtain APHIS approval to establish and operate a privately owned medium or minimum security quarantine facility for ruminants must submit, in writing, a letter that contains the full name and mailing address of the applicant, the location and street address of the proposed facility, a description of the financial resources for construction, operation, and maintenance of the facility, the anticipated origin of the ruminants to be quarantined, and the expected size and frequency of shipments. In addition to the letter, the applicant must provide APHIS with blueprints of the proposed facility, all approved State and local permits for construction and operation of such a facility, and a contingency plan for the destruction and disposal of all possible ruminants capable of being held in the facility. This information can be submitted to APHIS via fax, postal mail, or email.

APHIS uses this information to determine whether an applicant is capable of designing, equipping, operating, and maintaining a quarantine facility that meets APHIS standards for biological security. Requests for approval must be submitted at least 120 days prior to the date of application for local business permits. Based on this information, APHIS will determine if permission will be granted to establish and operate a private quarantine facility for ruminants.

Cooperative Service Agreement (Business) - 9 CFR 93.412(d)(2)

The applicant agrees to establish, operate, and maintain the private quarantine facility in accordance with APHIS standards and requirements. The compliance agreement further stipulates that the operator is responsible for the cost of building the facility, as well as any costs associated with its maintenance and operation.

Daily Log and Recordkeeping (Business) - 9 CFR 93.412(d)(2)(vi)(A)&(B)

For purposes of security, facility operators must maintain a daily log to record the entry and exit of all persons entering and leaving the facility while quarantine is in progress. These logs must be made available to an APHIS representative upon request, and must be kept for 2 years following the release of the ruminants from quarantine.

Request for Variance (Business) - 9 CFR 93.412(d)(7)

Facility operators desiring a variance from APHIS regulatory standards must submit their variance request, in writing, at least 30 days in advance of the arrival of ruminants at the quarantine facility. APHIS will grant a variance to existing facility requirements relating to location, construction, design, sanitation, security, operating procedures, recordkeeping, or other provisions if it determines that there is no detrimental effect on the health of the ruminants or to the overall biological security of the quarantine operation.

Operating Procedures and Recordkeeping (Business) - 9 CFR 93.412(d)(4)

The operator must keep a manual of standard operating procedures used at the facility, and make this available to APHIS as requested. The procedures must be followed at a privately owned minimum or medium security quarantine facility at all times. This must include procedures for personnel, authorized access, sanitary practices for the facility, and handling of ruminants in quarantine.

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.

All documents associated with this information collection can be submitted to APHIS electronically by email. APHIS will accept scanned documents if the originals aren't available electronically. The additional information regarding the application letter will be available through APHIS' for National Import/Export Services at 301-851-3300 or by fax at 301-734-6402. Guidelines for submitting an application are available on the APHIS homepage at www.aphis.usda.gov.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information that APHIS collects is not available from any other source. APHIS is the only Federal agency responsible for preventing foreign animal diseases from entering the United States.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information collected is the absolute minimum needed to ensure that privately owned quarantine facilities for ruminants are being operated according to APHIS standards for biosecurity. APHIS estimated that there are no small entities involved with this information collection.

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.

If the information was collected less frequently or not collected, APHIS would be forced to discontinue its program of allowing the operation of privately owned quarantine facilities for ruminants; a development that would hamper U.S. animal import activities.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

- **requiring respondents to report information to the agency more often than quarterly;**
- Daily Log** - For purposes of security, facility operators must maintain a daily log to record the entry and exit of all persons entering and leaving the facility while quarantine is in progress.
- **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 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 other special circumstances associated with this collection of information. The information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.5.

8. 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 record keeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported. If applicable, 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.

APHIS consulted the following individuals by email and phone to discuss the information APHIS collects to oversee privately owned quarantine facilities for imported ruminants. We discussed with them how we and they obtain the necessary data and how frequently; how much data is available; the convenience and clarity of reporting formats and other collection instruments; and the clarity of, and necessity for, any recordkeeping requirements. The respondents stated via email or phone that they had no concerns with any of these items and had no further recommendations.

Dr. Andrea Mikolon, Division of Animal Health and Food Safety Services
California Department of Food and Agriculture
1220 N Street, A-114
Sacramento, CA 95814
909-730-3876

Robert Moore, Delaware Department of Agriculture
2320 South DuPont Highway
Dover, DE 19901
302-698-4566

Dr. Diane Kitchen, Division of Animal Industry
Florida Department of Agriculture and Consumer Services
407 South Calhoun Street, Room 335, Mayo Building
Tallahassee, FL 32399-0800
850-410-0900

On Wednesday, February 6, 2019, pages 2153-2154, Vol. 84, No. 25, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a reinstatement of this collection of information. During that time one comment was received from a concerned citizen about her perception of the general maltreatment of animals. It had no relevance to the purpose of this information collection.

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

This information collection activity involves no payments or gifts to respondents.

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

No additional assurance of confidentiality is provided with this information collection. Any and all information obtained in this collection shall not be disclosed except in accordance with 5 U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature such as sexual behavior or 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.

This information collection activity will ask no questions of a personal or sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 83-1.

See APHIS Form 71. Public burden estimates were developed from discussions with the owners/operators of the privately owned quarantine facilities for ruminants.

Provide estimates, of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

APHIS estimates the total annualized cost to these respondents to be \$3,537.28. APHIS arrived at this figure by multiplying the total burden hours (64 hours) by the estimated average hourly wage of the above respondents ($\$37.75 + 17.52 = 55.27$).

$$64 \times \$55.27 = \$3,537.28$$

APHIS determined the hourly rate derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2018 – National Occupational Employment and Wage Estimates United States. See https://www.bls.gov/oes/current/oes_stru.htm.

$$\text{Benefits} = \text{wages} \times 46.4\% \quad (37.75 \times 0.464 = \$17.52)$$

13. Provide estimates 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 in to two components: (a) a total capital and startup cost component annualized over its excepted useful life; and (b) a total operation and maintenance and purchase of services component.

There is zero annual cost burden associated with capital and startup costs, operation and maintenance expenditures, and purchase of services.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The annualized cost to the Federal Government is estimated at \$596.55. (See APHIS Form 79.)

15. Explain the reasons for any program changes or adjustment reported in Items 12 or 14 of the OMB Form 83-1.

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	60	0	0	0	60	0
Annual Time Burden (Hr)	64	0	0	0	64	0
Annual Cost Burden (\$)	0	0	0	0	0	0

This is a reinstatement of a previously approved information collection with changes. There is a program change increase of + 5 respondents and +60 responses, responses resulting in an increase of +64 burden hours. APHIS is accounting this a potential violation.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to publish information it collects in connection with this program.

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.

Not applicable, there are no forms associated with this information collection.

18. Explain each exception to the certification statement identified in the "Certification for Paper work Reduction Act."

APHIS certifies compliance with all provisions of the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.