

## Comprehensive Test Ban Treaty (1 form: 9-4040-A)

OMB Control Number 1028-0059

**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.

### Specific Instructions

#### Justification

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

#### *The authorities for this collection are:*

- *National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601 et seq.)*
- *National Mining and Minerals Policy Act of 1970 (30 U.S.C. 21(a))*
- *CTBT Part III*
- *CTBT USGS-DoD MoA*

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According to Part 3—Confidence Building Measures in the **Comprehensive Test Ban Treaty** (CTBT) included in the supplementary documents of which the United States became a signatory country on September 24, 1996, each State will provide the United Nations CTBT Technical Secretariat with geographic locations of sites where chemical explosions of 300 tons of TNT-equivalent, or greater, have taken place on an annual basis. Government policy is to abide by the provisions of the CTBT although it has not been ratified by the Senate nor entered into force not having been ratified by all 44 States listed in its Annex 2.

Compliance with the Treaty will be monitored by several technologies, including a global network of seismic recording stations, which can detect and locate large mining blasts. In order to reduce the possibility that a large mining blast in this country might become the target of suspicion, the United States supports provisions of the Treaty that call for voluntary exchange of information on mining blasts

over 300 tons TNT-equivalent. Because U.S. policy is to act as if the Treaty is in effect, the **U.S. Geological Survey (USGS)** has negotiated a **Memorandum of Agreement (MoA)** in 1997 with the **U.S. Department of Defense (DoD)** to provide the DoD with information on chemical explosions in the commercial sector (see Supplementary Document "CTBT USGS-DoD MoA"). According to the terms of the MoA, the Agreement remains in force because the United States remains a signatory to the CTBT. The DoD is the sole client for this information.

The responsibility to collect and monitor explosives information was transferred to the USGS after the **U.S. Bureau of Mines (USBM)** was abolished in 1996. Collection of nonfuel minerals information is authorized by the **National Materials and Minerals Policy, Research and Development Act of 1980** (30 U.S.C. et seq.).

**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.**

This information, which includes identifying the geographic locations of sites where such explosions occur, the nature of the activities at those sites, and the frequency of such chemical explosions, is used by the Technical Secretariat for the CTBT to assure other nations that the explosions detected by the Global Seismic Network are, in fact, mining-related and not nuclear explosions. This information is not available from any other source.

**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.**

On-line electronic forms, which collect the same data as the paper forms, are available to registered users at the **Minerals Information Data System** Web site (<https://mids.er.usgs.gov>). Immediate on-line registration is available where new users are granted immediate access. For security purposes, additional new users (two or more) for the same operation will be notified automatically by email if another user signs up for the same operation.

We expect that 12% of the universe for this information collection will continue to be registered to respond electronically. Paper forms will remain an option for submission because not all industry respondents are able to or wish to transmit their data to the USGS by electronic means.

**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.**

These data are not collected by any other Federal or State agency, trade association, or other public sources. To avoid duplication, the USGS reviews data collection practices with other agencies, including the **Mine Safety and Health Administration**, the **Office of Surface Mining**, and the **Energy Information**

**Agency.** The Institute of Makers of Explosives, an industry association, also does not collect the required information. The USGS Earthquake Hazards Team does not collect information on mining-related blasts.

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

The canvass form is designed to minimize the burden to all respondents by only requesting essential data. The format is common to the reporting industry.

**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.**

The CTBT requires that this requested information be made available as soon as possible after the entry into force of the Treaty and that this information be updated annually. Under provisions of the CTBT, a foreign party to the Treaty may request information for clarification about a seismic event located in the United States. Such information may also be sought in response to a request for an on-site inspection in the United States. If the treaty is ratified, a breach of this Treaty may occur if the United States is unable to readily supply the requested information. It is hoped that by providing this information in advance, large mining explosions will not be misidentified as suspicious.

**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.**

No special circumstances exist.

**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 Paperwork Reduction Act 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.**

The 60-day Federal Register Notice was published 06/17/2019 at 84 FR 28068. Public comments were solicited for 60 days ending 08/16/2019. We did not receive any public comments in response to that notice.

This canvass has been designed to meet the needs of the CTBT. Part 3 of the Treaty specifies the type and frequency of data to be collected. The canvass form is designed to collect only the required data, thus minimizing the individual response time, and to ensure that respondents are not required to maintain or provide data in a format other than that in which the data are customarily maintained.

As part of the routine canvassing process, respondents are regularly asked to comment on the design of the form and to make recommendations that help maintain consistency with industry's methods of accounting. USGS mineral commodity specialists are routinely contacted by Federal and State agencies, Members of Congress, trade associations, the financial community, private companies, universities, and private citizens who request general and specific data and information.

When persons outside the USGS submit requests for information, the USGS mineral commodity specialists and statistical assistants respond in a timely manner. The USGS receives and responds to several hundred e-mail and telephone inquiries each month. During these discussions and interactions, views are exchanged on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, reporting format, data elements to be recorded, disclosed, or reported, burden estimate and other aspects of this information collection. These views help the USGS to improve its data collection and publications.

We consulted with the individuals listed (Table 1 below) to obtain their views on the information and burden estimate presented in our instrument. These industry contacts had no suggested changes to the form and no changes were made in the burden estimates as a result of these contacts.

Table 1: Collaboration on Design

Climax Molybdenum Co. Accounting Technical Specialist Climax, CO Date of contact: 06/12/2019	New Riverside Ochre Co. Vice President of Operations Cartersville, GA Date of contact: 06/12/2019
Kyanite Mining Corp. Environmental and Safety Director Dillwyn, VA Date of contact: 06/12/2019	

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

No payments or gifts are made to respondents.

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

30 U.S.C. 1601 et seq. ensures the confidentiality of all data reported by persons or firms engaged in any phase of mineral or mineral-material production or large-scale consumption.

To implement 30 U.S.C. 1601 et seq., the USGS withholds all data reported as “Company Proprietary Data,” and such data will be disclosed only in the aggregate so as not to reveal the data from a single respondent. USGS policy states that absent specific company permission, aggregated data can be reported only if it represents three or more companies and if no one company accounts for more than 75% of the total or if no two companies account for more than 90% of the total. Except in response to requests by Congress or by Federal defense agencies for appropriate purposes and in some instances to a State government under a cooperative agreement (Memorandum of Understanding), proprietary data will never be disclosed without the specific permission of the company as represented in the disclosure query. The disclosure statement and query are printed on the canvass form.

The USGS standard for handling proprietary canvass data included in the supplementary document, Proprietary Data Brochure, further discusses protections for USGS proprietary data including penalties associated with violations.

**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.**

This collection does not ask for information of a sensitive nature.

**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.**

Variations can be expected in the reporting burden for completion of this form because of the differences in operation size and accounting systems. The data sought are those routinely maintained in the course of business. For some companies with more than one plant, the submission takes the form of a consolidated report covering all company operations. This greatly reduces the reporting burden.

Based on our previous experience and consultation with industry contacts as summarized in response 8, we estimate the total annual burden for this collection of information (including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information) to be approximately 625 hours (Table 2 below). Approximately 2,500 respondents will report data annually. The average completion time is 15 minutes per form.

Table 2: Consolidated estimates of annual burden (private sector) <sup>1</sup>

			PRIVATE SECTOR			
	Form No.	Frequency	Number of Respondents	Responses	Completion Time	Burden Hours
1	9-4040-A	Annually	2,500	2,500	15 min	625
<b>TOTALS</b>			<b>2,500</b>	<b>2,500</b>		<b>625</b>

<sup>1</sup> Based on 100% response rate. Actual response rate is lower.

We estimate the total dollar value of this collection to be \$21,556 (Table 3 below). We arrived at this figure by multiplying the estimated burden hours for the sector by the current dollar value (including benefits and overtime) of burden hours for that sector. This wage figure is based on the Bureau of Labor Statistics news release USDL-19-1002 for Employer Costs for Employee Compensation—March 2019.

Table 3: Estimated Dollar Value of Respondent Annual Burden Hours

Activity	Sector	Annual Number of Responses	Total Annual Burden Hours	Dollar Value of Burden Hours (Including Benefits)	Total Dollar Value of Annual Burden Hours
Completing canvass forms	Private	2,500	625	\$34.49	\$21,556
	All	2,500	625		\$21,556

**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.

There is no non-hour cost burden, recordkeeping, nor any fees associated with collection of this information.

**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.**

The total annual cost to the Federal Government is \$493,485. This includes the operational expenses of \$121,457 (Table 4 below). Operational expenses include mailing, overhead, printing, processing, publication and non-Federal support.

Table 4: Annualized Operational Expenses and estimated costs

Operational Expenses	Estimated Cost
Printing of canvass forms	\$280
Mailing lists compilation and maintenance	\$1,112
Mailing operation	\$2,907
Editing, coding, tabulation, analyzing	\$64,595
ADP processing	\$52,291
Electronic publication of results	\$273
<b>Total</b>	<b>\$121,458</b>

The total estimated cost to the Federal Government for processing and reviewing information received as a result of this collection is \$372,028 (Table 6 below). This includes Federal employee salaries and benefits. The table below shows Federal staff and grade levels performing various tasks associated with this information collection. We used the Office of Personnel Management Salary Table 2019-DCB ([https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB_h.pdf)) for the Washington, D.C. – Baltimore Locality Pay Area to determine the hourly rate. We multiplied the hourly rate by 1.6 to account for benefits (as implied by the BLS news release USDL-19-0449).



Table 6: Federal Employee Salaries and Benefits

1 <sup>1</sup>	2	3	4 <sup>2</sup>	5	6
Positions	Average grade and step	Estimated average hourly rate without benefits	Estimated Federal employee Hours (annualized)	Estimated average hourly rate including benefits (1.6 x average hourly rate)	Estimated Federal employee salary/benefit annualized costs
Mineral Commodity Specialists	GS-13/8	\$57.31	370	\$91.70	\$33,929
Statistical Assistants	GS-6/3	\$21.14	4,780	\$33.82	\$161,660
Computer Specialists	GS-13/8	\$57.31	370	\$91.70	\$33,929
Mineral Records Administrator	GS-12/8	\$48.19	1,750	\$77.10	\$134,925
Management	GS-14 /8	\$67.72	70	\$108.35	\$7,585

**Totals**

**7,340**

**\$372,028**

<sup>1</sup> The grades/steps in the table represent an average of several employees at several grades/steps—some of the employees may work full-time on the collection, while other employees may work part-time.

<sup>2</sup> Column 6 / Column 5 (differences due to rounding)

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

There are no program changes or adjustments in hour or cost burden requested in this renewal.

**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.**

The results of this collection of information will not be published. This data must be collected on behalf of DoD, who might request this data if challenged by a CTBT member nation.

**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 display the OMB control number and expiration date on the single form in this collection.

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

There are no exceptions to the certification statement.