

1 Supporting Statement A

30 CFR 955 – Certification of Blasters in Federal Program States and on Indian Lands, and Form OSM-74

OMB Control Number 1029-0083

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.***

30 CFR 955.13, in accordance with Section 515(b)(15)(D) of the Surface Mining Control and Reclamation Act of 1977, P.L. 95-87, (the Act), requires that all blasting operations be conducted by trained, competent people who are certified by the regulatory authority. This information will be used to certify blasters on Indian lands and in Federal program States.

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 from this information collection effort will be submitted to the Office of Surface Mining Reclamation and Enforcement's (OSMRE's) Knoxville, Olympia, and Albuquerque Field Office Directors, and Alton Mid-Continent Regional Center Director for processing. The collected data will be used to determine the eligibility of applicants desiring to become certified blasters in Federal program States and on Indian lands. The form will be the initial step in an evaluation and qualification process. The need for each line item on the form is explained as follows.

Items 1 through 12 - The name, address, and social security number are necessary both for identification and further recordkeeping purposes. The date of birth and physical features are needed to ascertain that the applicant and the person taking the examination are one and the same. This data will also be used on the certification identification card.

Item 13 - The form will be used to process more than one type of application. Five types have been listed. This item enables the applicant to identify the type of certificate, and identifies the fee for each type of certificate. This information will provide OSMRE with the type of action required to complete the process.

Items 14 - The date and location desired by the applicant will provide OSMRE with information to schedule examinations, dates and locations convenient to the applicants.

Item 15 – The company's name and address, dates of employment, blasting experience, past supervisors, with telephone numbers and a description of blasting duties are necessary to provide OSMRE with information to verify employment and to make an evaluation of the applicant's qualifications.

Item 16 - The data requested in this item pertain to education and training that will provide OSMRE with information to evaluate the applicant's qualifications.

Item 17 - Blaster License and Certification History. Other State blasting license or certification information is needed for qualification purposes. Information on other certificates issued to the applicant is vital data. Further, if the applicant has had a certificate revoked or if any disciplinary action involving certification has been imposed, a thorough investigation of the fact would be made.

Item 18 - Recipients of blaster certificates will be in a position to handle and transport dangerous explosives. Security checks will be made and knowledge of the applicant's moral character is necessary. The contents of information derived from paragraphs 6A and 6B provide a basic framework.

Item 19 - This item affirms that the applicant has provided truthful data and is acting in good faith. By signing, the applicant acknowledges and accepts the need to be investigated.

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.

Respondents are individuals who apply for certification as blasters at mining operations conducted in Federal program States or on Indian lands. The OSM-74 form is available in a PDF file on OSMRE's forms page, <https://www.osmre.gov/resources/forms/OSMRE74.pdf>, which may be completed, printed and signed, and sent or hand carried to the appropriate office. The applicant must attach to the blaster certification form, a check or money order to cover processing fees, two passport photographs for the blaster's credentials, and a photocopy of the applicants' current blaster photo credentials or blaster handling card. For these reasons it is not practical for blasters to submit the information electronically, or for OSMRE to request this information electronically.

- 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.***

Since each application has specific endemic characteristics, there is no other information collected by other sources that would satisfy the law.

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

Small businesses are not involved. The data collected applies to individual applicants for blaster certification.

- 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.***

All of the information is to be collected each time the applicant requests an issuance or a reissuance of a certificate. If an applicant requests a renewal or a replacement of a certificate, only the questions necessary to identify the applicant and the present certification status are required to be answered. A blaster certificate is issued for a three-year period with the right of one renewal before recertification/reissuance is required. The above reporting frequency is necessary to insure that OSMRE is aware of the applicant's current background. After six years an applicant's background could change to warrant denial of certification as a blaster.

- 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.*

The guidelines in 30 CFR 1320.5(d)(2) are not exceeded.

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 November 2020, OSMRE contacted the program coordinator directly tasked

with managing the certification process. Accordingly, six previous applicants of the current 37 certified individuals participating in the program provided input on the amount of time for completing the application form. Contact was made with the following:

Mining Engineer and Blasting Program Coordinator
Office of Surface Mining Reclamation and Enforcement
Three Parkway Center
Pittsburgh PA 15220

Applicants reported it would take on average one hour to complete the application (ranging from 30 to 90 minutes) depending on the applicant's familiarity with the program requirements and needed credentials.

On October 15, 2020, OSMRE published in the Federal Register (85 FR 65422) 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.

No payments or gifts are provided to respondents.

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

OSMRE has established a Privacy Act System of Records for the Application for Surface Coal Mining Operations Blasters Certification in Federal Program States and on Indian Lands (see the Federal Register notice published April 9, 1999, 64 FR 17413, and updated July 29, 2008, 73 FR 45244). This is identified by OSM-12 and may be found at <https://www.doi.gov/ocio/policy-mgmt-support/privacy/OSM-12-Blaster-Certification>.

The paper copies of each form are maintained in secured file cabinets in secured rooms in our offices in Knoxville, Tennessee; Albuquerque, New Mexico; and Olympia, Washington. These files are also maintained electronically on OSMRE's Intranet and are password protected with access granted to only those within OSMRE with specific need.

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 sensitive information is requested.

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."**

Reporting and Reviewing Burden

a. Hourly Burden Estimate

Based on estimates from applicants and expected annual applications received burden estimates were calculated as follows:

OSMRE expects 5 applicants will apply for blaster certification issuances or reissuances each year, and 1 applicant per year for renewal of the blaster certificate. Both would require 1 hour to complete the form.

OSMRE expects 12 applicants will request blaster certifications under reciprocity with States, each requiring 1 hour.

Issuance/Reissuance: 5 applicants x 1 hour per application = 5 burden hours.

Renewals: 1 applicant x 1 hour per application = 1 burden hour.

Reciprocity: 12 applicants x 1 hours per application = 12 burden hours.

Total annual burden to respondents: 18 burden hours (5+1+12).

b. Estimated Annualized Cost

OSMRE derived industry hourly wages for a mine safety engineer using an annual mean wage of \$42.54 (from https://www.bls.gov/oes/current/naics4_212100.htm#17-0000).

Wage rate including benefits are \$59.56 (\$42.54 x 1.4) using a rate of 1.4 of the salary for industry personnel per the BLS news release USDL-20-1736, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—JUNE 2020, dated September 17, 2020 (<http://www.bls.gov/news.release/pdf/ecec.pdf>).

OSMRE estimates the annualized cost would be \$1,072 (\$59.56/hour x 18 hours/year) using all 18 expected applicants i filing blasting certification forms each year.

- 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.

Estimated Total Annual Cost to Respondents

a. Capital and Start-up Costs

There are no capital or start-up costs associated with this information collection activity.

b. Operation and Maintenance Costs

The following is a list of fees required for each applicant for processing:

- Applicants for issuance/reissuance 5 x \$122 = \$610
- Replacement or re-examination 1 x \$28 = \$28
- Renewals/reciprocal certifications 12 x \$61 = \$732

Total cost of fees is \$1,370(\$610+\$28+\$732).

- 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 Annualized Cost to the Federal Government

The staff handling application estimated that it will take 2 hours to review, verify, and evaluate each application received, regardless of type of certification. The hourly cost is \$66.66 per hour (41.66 x 1.6). This rate is based upon a GS-13, step 5 federal wage

(https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/RUS_h.pdf with a 1.6 multiplier for of the salary per the BLS

news release USDL-20-1736, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—JUNE 2020, dated September 17, 2020

(<http://www.bls.gov/news.release/pdf/ecec.pdf>). The cost to the Federal government is as follows:

18 applications x 2 hours per application x \$66.66 per hour = \$2,400.

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

Due to a decline in the number of respondents, this information collection request will decrease the burden currently approved by OMB by 7 hours in burden.

This information collection request will adjust the approved burden as follows:

25 hours currently approved by OMB
- 7 hours due to an adjustment
18 hours requested

This information collection request re-estimates the annualized non-wage cost, from \$1,891 to \$1,370, due to fewer respondents seeking reciprocity.

- 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.**

This is an ongoing information collection with no ending date and no plans for publication.

- 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.**

The expiration date and OMB control number are displayed on the form OSM-74, and the OMB control number is also displayed at 30 CFR 955.10.

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

OSMRE is not requesting an exception to the "Certification for Paperwork Reduction Act Submissions."