

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB CONTROL NO. 9000-0107
Federal Acquisition Regulation Part 23 Requirements**

FAR sections affected: 52.223-2, 52.223-5, 52.223-6, 52.223-7, 52.223-9, 52.223-11, 52.223-12, and 52.223-22

A. Justification.

1. Administrative requirements.

This clearance covers the information that offerors and contractors must submit to comply with the following Federal Acquisition Regulation (FAR) part 23 requirements:

- **FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.** This clause requires the contractor to report annually the product types and dollar value of any United States Department of Agriculture (USDA)-designated biobased products purchased by the contractor during the previous Government fiscal year.
- **FAR 52.223-5, Pollution Prevention and Right-to-Know Information.** This clause requires a contractor that is performing at a federal facility to provide all information needed by the federal facility to comply with Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11001-11050) and the Pollution Prevention Act of 1990 (42 U.S.C.13101-13109). Contractors report information related to emergency planning and hazardous chemicals reporting, toxic chemical release, its environmental management system (EMS), and a facility compliance audit (FCA) or EMS audit.¹

¹ General reporting requirements for the statutes are cleared under the following OMB Control Nos.: 1218-0072, Department of Labor Occupational Safety and Health Administration–Hazard Communication (29 CFR 1910.1200); 2050-0092, Environmental Protection Agency–Emergency Planning and Release Notification Requirements under EPCRA; 2050-0072, Environmental Protection Agency–Community Right-to-Know Reporting Requirements Under Sections 311 and 312 of the EPCRA. This clearance covers the burden associated information to a federal facility obtains from contractors so that the federal facility can comply with the statute.

- **FAR 52.223-6, Drug-Free Workplace.** This clause requires a contractor to require its employees to notify it of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The contractor is further required to notify the contracting officer in writing within ten days after receiving notice of an employee conviction.
- **FAR 52.223-7, Notice of Radioactive Material.** This clause requires the contractor to notify the contracting officer or a designee in writing prior to the delivery of, or prior to completion of any servicing required by the contract of, items containing certain radioactive material. The notice shall specify the part or parts of the items which contain radioactive materials, the name and activity of the isotope, the manufacturer of the materials, and any other information known to the contractor which will put users of the items on notice as to the hazards involved. If there has been no change affecting the quantity of activity, or the characteristics and composition of the radioactive material from deliveries under the contract or prior contracts, then the contractor may request in writing that the contracting officer or designee waive this notice requirement.
- **FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items.** This clause requires the contractor, upon completion of the contract, to submit to the Government an estimate of the percentage of the total recovered material content for Environmental Protection Agency (EPA)-designated item(s) delivered and/or used in contract performance, including, if applicable, the percentage of post-consumer material content. For contracts where the estimates can be verified, the contractor shall instead provide the certification required by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6962(i)(2) (C)) that the percentage of recovered material content for EPA-designated items met the requirements of the contract.
- **FAR 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons.** This clause requires the contractor to report annually and at the end of contract

performance the amount in pounds of any hydrofluorocarbons (or refrigerant blends containing hydrofluorocarbons) added or taken out of any equipment or appliances to be delivered under the contract. The reporting requirement applies to equipment that normally each contain 50 or more pounds of hydrofluorocarbons or refrigerant blends containing hydrofluorocarbons.

- **FAR 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners.** This clause requires the contractor to report annually and at the end of contract performance the amount in pounds of any hydrofluorocarbons (or refrigerant blends containing hydrofluorocarbons) added or taken out of refrigeration or air conditioning equipment to be maintained, serviced, repaired, or disposed of under the contract. The reporting requirement applies to equipment that normally each contain 50 or more pounds of hydrofluorocarbons or refrigerant blends containing hydrofluorocarbons.

- **FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation.** This provision requires offerors that received \$7.5 million or more in total contract awards during the previous Federal fiscal year to represent whether it publicly discloses (itself or through its immediate or highest-level owner) its greenhouse gas emissions and a quantitative greenhouse gas reduction goal. If the offeror publicly discloses such information, the offeror is required to provide the website(s) where the information is made publicly available. The representation is voluntary for offerors below the threshold.

2. Uses of information.

- **FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.** The Government uses this information to assess compliance, and measure progress, in carrying out the preference for USDA-designated biobased products.

- **FAR 52.223-5, Pollution Prevention and Right-to-Know Information (Emergency Planning and Hazardous Chemicals).** Government facility managers use this information to ensure the facility is able to comply with the following statutory or other requirements: prepare the annual inventory of hazardous chemicals and submit safety data sheets on hazardous chemicals used or stored in the facility to their State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and local fire department; report toxic chemical release information to the EPA Toxic Release Inventory Program; implement an EMS and conduct EMS self-assessments; undergo a facility compliance audit.
- **FAR 52.223-6, Drug-Free Workplace.** The Government uses this information to ensure contractor compliance with the statutory requirements to maintain a drug-free workplace. The information is also used by the contracting officer to understand any impacts on contract performance.
- **FAR 52.223-7, Notice of Radioactive Material.** The Government uses this information to ensure that required licenses are obtained and appropriate personnel are provided adequate notification to institute any necessary safety and health precautions in handling the items with radioactive materials.
- **FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items.** The contracting officer uses this information to verify contractor compliance with contract requirements regarding the use of recovered materials. Additionally, agencies will use the information in the annual review and monitoring of the effectiveness of their affirmative procurement programs.
- **FAR 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons.** The Government gathers this information to identify the amount of ozone-depleting substances and High Global Warming Potential Hydrofluorocarbons that are contained in certain equipment purchased by the Government.

- **FAR 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners.** The Government gathers this information to identify the amount of ozone-depleting substances and High Global Warming Potential Hydrofluorocarbons are contained in certain equipment maintained by the Government.
- **FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals–Representation.** The Government uses this information to assess supplier greenhouse gas management practices and to assist agencies in developing strategies to engage with contractors to reduce supply chain emissions.

3. Consideration of information technology. Federal agencies use information technology to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, the contractors may submit this information collection requirement electronically.

4. Efforts to identify duplication. These requirements are issued under the FAR, which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

5. If the collection of information impacts small businesses, describe methods used to minimize burden. The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently. Collection of information on a basis other than solicitation-by-solicitation/contract-by-contract is not practical.

7. Special circumstances for collection. Collection is consistent with guidelines in 5 CFR 1320.5(d)(2).

8. Efforts to consult with persons outside the agency.

- A 60-day notice was published in the *Federal Register* at 87 FR 10214, on February 23, 2022.
- A 30-day notice was published in the *Federal Register* at 87 FR 25637, on May 2, 2022.

9. Explanation of any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees. Not applicable.

10. Describe assurance of confidentiality provided to respondents. This information is disclosed only to the extent consistent with prudent business practices, current regulations, and statutory requirements.

11. Additional justification for questions of a sensitive nature. No sensitive questions are involved.

12 & 13. Estimated total annual public hour and cost burden. The following estimates are based on averages of historical award data available in the Federal Procurement Data System (FPDS) for fiscal years 2019 through 2021, unless otherwise specified. The hourly rate of pay is based on the hourly rates of pay from the Office of Personnel Management (OPM) 2022 General Schedule (GS) Salary Table for the Rest of the United States, effective January 2022 (available at <https://www.opm.gov/>), plus a 36.25 percent fringe factor mandated by Office of Management and Budget (OMB) memorandum M-08-13 for use in public-private competition (see <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2008/m08-13.pdf>) and rounded to the nearest whole dollar.

- **FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.** This clause is prescribed in FAR 23.406(b) for use in service or construction contracts unless the contract will not involve the use of USDA-designated items. On average per year the Government awards 77,827 contracts for service and construction contracts that are likely to involved USDA-designated items to 22,899 unique awardees, approximately three contracts per contractor (77,827 awards/22,899 unique

awardees, rounded to the nearest whole number).² The Government estimates that, on average, each contractor will submit two responses per contract (six total responses per year) and that it takes five hours to prepare a response. The estimate includes time required by contractors who will need to develop and/or implement a system to track the product types and dollar value of the purchased USDA-designated biobased products.

Estimated respondents/year.....	22,899
Responses/respondent annually.....	x <u>6</u>
Total annual responses.....	137,394
Estimated hours/response.....	x <u>5</u>
Estimated total burden hours.....	686,970
Hourly rate (GS-13/Step 5 + 36.25%).....	x <u>\$70</u>
Estimated cost to public.....	\$48,087,900

□ **FAR 52.223-5, Pollution Prevention and Right-to-Know Information.**

Emergency Planning and Hazardous Chemicals. According to data available from EPA, there are at least 174 facilities that use toxic or hazardous chemicals subject to EPCRA reporting and emergency planning requirements.³ The Government estimates that each of these facilities has three contractors that may be requested to submit reports each year. Given that the contractor is simply providing records it is already required to maintain by law, the estimated time per response is 30 minutes._

Estimated respondents/year.....	174
Responses/respondent annually.....	x <u>3</u>
Total annual responses.....	522
Estimated hours/response.....	x <u>0.5</u>
Estimated total burden hours.....	261
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>

² The product and service codes (PSCs) used to run the FPDS are those beginning with the following letters: A-Research and Development; F-Natural Resources Management; J-Maintenance, Repair, and Rebuilding of Equipment; M-Operation of Structures/Facilities; S-Utilities and Housekeeping Services; T-Photo/Map/Print/Publication; Y-Construction of Structures/Facilities; and Z-Maintenance, Repair, Alteration of Facilities.

³ <https://www.epa.gov/fedfac/national-priorities-list-sites>

Estimated cost to public..... \$15,399

Toxic Chemical Release. According to data available from EPA 441 federal facilities reported to the Toxic Release Inventory (TRI) in 2019.⁴ The Government estimates that 132 of these facilities (30 percent) use contractors and that there is an average of eight contractors per facility that may use substances for which reports would be required for the TRI. It is further estimated that it takes four hours to prepare the response for the TRI.

Estimated respondents/year.....	132
Responses/respondent annually.....	x <u>8</u>
Total annual responses.....	1,056
Estimated hours/response.....	x <u>4</u>
Estimated total burden hours.....	4,224
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to public.....	\$249,216

Environmental Management System. Alternates I and II to the basic clause are prescribed in FAR 23.1005 for use with the basic clause if the contract provides for contractor activities on or operations or maintenance of a federal facility where the agency has implemented or plans to implement an environmental management system and contractor activities should be included in an EMS audit. The Government estimates that 2,373 federal facilities are likely to have an EMS and collect information for EMS self-assessments and that 1,305 of these facilities (55 percent) may have one contractor subject to the reporting requirements each year.⁵ It is further estimated that it takes five hours to prepare a response.

Estimated respondents/year.....	1,305
Responses/respondent annually.....	x <u>1</u>
Total annual responses.....	1,305
Estimated hours/response.....	x <u>5</u>
Estimated total burden hours.....	6,525

⁴ <https://www.epa.gov/trinationalanalysis/federal-facilities-industry>

⁵ Estimate was provided by Federal Facilities Environmental Stewardship and Compliance Assistance Center (FedCenter) in 2016. Current data is not available.

Hourly rate (GS-12/Step 5 + 36.25%).....	x	\$59
Estimated cost to public.....		\$384,975

Facility Compliance Audit. Alternate II is prescribed in FAR 23.1005 for use with the basic clause if the contract provides for contractor activities on a federal facility and the agency has determined that the contractor activities should be included within the facility compliance audit. The Government estimates that 6,123 federal facilities are likely to collect information for FCAs.⁶ Most agencies have a three-year audit cycle; therefore, each year approximately 2,041 audits are performed. It is further estimated that 1,531 of these facilities (75 percent) have one contract that will be subject to this reporting requirement each year and that it takes five hours to prepare the response.

Estimated respondents/year.....		1,531
Responses/respondent annually.....	x	1
Total annual responses.....		1,531
Estimated hours/response.....	x	5
Estimated total burden hours.....		7,655
Hourly rate (GS-12/Step 5 + 36.25%).....	x	\$59
Estimated cost to public.....		\$451,645

- **FAR 52.223-6, Drug-Free Workplace.** This clause is prescribed in FAR 23.505 for use in all contracts except those that are: valued at or below the simplified acquisition threshold (unless the contract is with an individual); for the acquisition of commercial products and commercial services; performed outside the United States and its outlying areas; or, by law enforcement agencies, if application would be inappropriate in connection with the agency’s undercover operations. On average per year, the Government awards 21,352 non-commercial contracts valued at greater than the simplified acquisition threshold with performance inside the United States to 7,444 unique awardees. The Government estimates that 252 of these contractors (~3.4 percent) may have employees that fall under this statistic.⁷ The

⁶ Estimate was provided by the U.S. Army Corps of Engineers, Engineer Research and Development Center, in 2019. Current data is not available.

⁷ A study of the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services, National Household Surveys on Drug Use and Health,

Government further estimates that 228 of these contractors (90 percent) may receive notice of an employee drug conviction and that it takes thirty minutes to prepare the notice.

Estimated respondents/year.....	228
Responses/respondent annually.....	x <u>1</u>
Total annual responses.....	228
Estimated hours/response.....	x <u>0.5</u>
Estimated total burden hours.....	114
Hourly rate (GS-9/Step 5 + 36.25%).....	x <u>\$41</u>
Estimated cost to public.....	\$4,674

- **FAR 52.223-7, Notice of Radioactive Material.** This clause is prescribed in FAR 23.602 for use in contracts for supplies which are, or which contain certain radioactive material, including aircraft, ammunition, missiles, vehicles, electronic tubes, instrument panel gauges, compasses, and identification markers. On average per year, the Government awards 13,313 contracts for these types of supplies to 2,328 unique awardees, approximately six contracts per contractor (13,313 awards/2,328 unique awardees, rounded to the nearest whole number).⁸ The Government estimates that one out of the six contracts may involve radioactive material and that on average each contractor submits five responses per contract, that each take one hour to prepare.

Estimated respondents/year.....	2,328
Responses/respondent annually.....	x <u>5</u>
Total annual responses.....	11,640
Estimated hours/response.....	x <u>1</u>
Estimated total burden hours.....	11,640

indicated that 8.2 percent of full-time workers were illicit drug users; however, only 3.4 percent of workers in a protective service occupation were likely to be illicit drug users (see <https://bjs.ojp.gov/drugs-and-crime-facts/drug-use> [https://bjs.ojp.gov/ drugs-and-crime-facts/drug-use](https://bjs.ojp.gov/drugs-and-crime-facts/drug-use)). For the purposes of this analysis, the Government is using the lower percentage.

⁸ The following PSCs identified at FAR 23.804(a)(1) were used to identify contracts for covered supplies: Group 13-Ammunition and Explosives; Group 14-Guided Missiles (except 1440 and 1450); Group 15-Aerospace Craft and Structural Components (except 1555 and 1560); Group 23-Ground Effect Vehicles, Motor Vehicles, Trailers, and Cycles; 5960-Electron Tubes and Associated Hardware; 6605-Navigational Instruments; 6610-Flight Instruments; and 9610-Ores.

Hourly rate (GS-9/Step 5 + 36.25%).....	x	<u>\$41</u>
Estimated cost to public.....		\$477,240

- FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items.** This clause is prescribed in FAR 23.406(d) for use in contracts exceeding \$150,000 that are for, or specify the use of, EPA-designated items containing recovered materials, except those for commercially available off-the-shelf (COTS) items. On average per year the Government awards 1,808 contracts that contain the clause at FAR 52.223-9 to 994 unique awardees, approximately two contracts per contractor (1,808 awards/994 unique awardees, rounded to the nearest whole number). The Government estimates that each contractor will submit one response per contract and that it will take the contractor thirty minutes to prepare the response.

Estimated respondents/year.....		994
Responses/respondent annually.....	x	<u>2</u>
Total annual responses.....		1,988
Estimated hours/response.....	x	<u>0.5</u>
Estimated total burden hours.....		994
Hourly rate (GS-13/Step 5 + 36.25%).....	x	<u>\$70</u>
Estimated cost to public.....		\$69,580

- FAR 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons.** This clause is prescribed in FAR 23.804(a)(1) for use in contracts for refrigeration and air conditioning equipment; clean agent fire suppression systems; bulk refrigerants and fire suppressants; solvents, dusters, freezing compounds, mold release agents; corrosion prevention compounds, foam sealants, aerosol mold release agents; fluorocarbon lubricants (primarily aerosols); and any other chemicals, materials, or manufactured end products that may contain or be manufactured with ozone-depleting substances or high global warming potential hydrofluorocarbons. Contracts for supplies that will be delivered outside the United States and its outlying areas are excluded. On average per year the Government awards 7,339 contracts that include these types

of items to 1,305 unique awardees.⁹ Each contractor submits one report per year to www.sam.gov and it is estimated that it takes the contractor eight hours to prepare the response.

Estimated respondents/year.....	1,305
Responses/respondent annually.....	x <u>1</u>
Total annual responses.....	1,305
Estimated hours/response.....	x <u>8</u>
Estimated total burden hours.....	10,440
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to public.....	\$615,960

- **FAR 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners.** This clause is prescribed in FAR 23.804(a)(2) for use in contracts that include the maintenance, services, repair, of disposal of refrigeration equipment or air conditioners. Contracts for services that will be performed outside the United States and its outlying areas are excluded. On average per year the Government awards 1,214 contracts that include these types of services to 601 unique awardees.¹⁰ Each contractor submits one report per year to www.sam.gov and it is estimated that it takes the contractor eight hours to prepare the response.

Estimated respondents/year.....	601
Responses/respondent annually.....	x <u>1</u>
Total annual responses.....	601
Estimated hours/response.....	x <u>8</u>
Estimated total burden hours.....	4,808
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to public.....	\$283,672

⁹ The following PSCs identified at FAR 23.804(a)(1) were used to identify contracts for covered supplies: 4110-Refrigeration Equipment; 4120-Air Conditioning Equipment; 4210-Fire Fighting Equipment; 6830-Gases: Compressed and Liquified; 6850-Miscellaneous Chemical Specialties, 8030-Preservative and Sealing Compounds; and 9150-Oils and Greases.

¹⁰ The following PSCs were used to identify contracts for services most likely to include the covered services: J041-Maintenance and Repair of Refrigeration, Air Conditioning Equipment; and K041-Modification of Refrigeration, Air Conditioning Equipment.

- **FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals–Representation.** This provision is prescribed for use in solicitations where offerors are required to be registered in System for Award Management (see FAR 52.204-7). The Government estimates approximately 8,000 respondents are likely to complete this representation each year and it will take fifteen minutes to enter the information in www.sam.gov.

Estimated respondents/year.....	8,000
Responses/respondent annually.....	x <u>1</u>
Total annual responses.....	8,000
Estimated hours/response.....	x <u>0.25</u>
Estimated total burden hours.....	2,000
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to public.....	\$118,000

- **Total Public Burden.** The following is a summary of the total estimated public burden associated with these FAR part 23 requirements:

Requirement	Respondent	Responses	Hours	Cost
FAR 52.223-2	22,899	137,394	686,970	\$48,087,900
FAR 52.223-5 Haz/Chem	174	522	261	\$15,399
FAR 52.223-5 Toxic	132	1,056	4,224	\$249,216
FAR 52.223-5 EMS	1,305	1,305	6,525	\$384,975
FAR 52.223-5 FCA	1,531	1,531	7,655	\$451,645
FAR 52.223-6	228	228	114	\$4,674
FAR 52.223-7	2,328	11,640	11,640	\$477,240
FAR 52.223-9	994	1,988	994	\$69,580
FAR 52.223-11	1,305	1,305	10,440	\$615,960
FAR 52.223-12	601	601	4,808	\$283,672
FAR 52.223-22	8,000	8,000	2,000	\$118,000
TOTAL	39,497	165,570	735,631	\$50,758,261

14. Estimated cost to the Government.

- **FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.** It is estimated

that it takes the Government one and a half hours to review the information provided by the contractor.

Total annual responses.....		137,394
Review time/response (hours).....	x	<u>1.5</u>
Review time/year (hours).....		206,091
Hourly rate (GS-13/Step 5 + 36.25%).....	x	<u>\$70</u>
Estimated cost to Government.....		\$14,426,370

□ **FAR 52.223-5, Pollution Prevention and Right-to-Know Information.**

Emergency Planning and Hazardous Chemicals. It is estimated that it takes the Government facility manager one hour to review the information provided by the contractor._

Total annual responses.....		522
Review time/response (hours).....	x	<u>1</u>
Review time/year (hours).....		522
Hourly rate (GS-12/Step 5 + 36.25%).....	x	<u>\$59</u>
Estimated cost to Government.....		\$30,798

Toxic Chemical Release. It is estimated that it takes the Government facility manager three hours to review the information provided by the contractor._

Total annual responses.....		1,056
Review time/response (hours).....	x	<u>3</u>
Review time/year (hours).....		3,168
Hourly rate (GS-12/Step 5 + 36.25%).....	x	<u>\$59</u>
Estimated cost to Government.....		\$186,912

Emergency Management System. It is estimated that it takes the Government facility manager one hour to review the information provided by the contractor._

Total annual responses.....		1,305
Review time/response (hours).....	x	<u>1</u>
Review time/year (hours).....		1,305
Hourly rate (GS-12/Step 5 + 36.25%).....	x	<u>\$59</u>
Estimated cost to Government.....		\$76,995

Facility Compliance Audit. It is estimated that it takes the Government facility manager one hour to review the information provided by the contractor._

Total annual responses.....	1,531
Review time/response (hours).....	x <u>1</u>
Review time/year (hours).....	1,531
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to Government.....	\$90,329

- **FAR 52.223-6, Drug-Free Workplace.** It is estimated that it takes the contracting officer thirty minutes to review the information provided by the contractor.

Total annual responses.....	228
Review time/response (hours).....	x <u>0.5</u>
Review time/year (hours).....	114
Hourly rate (GS-13/Step 5 + 36.25%).....	x <u>\$70</u>
Estimated cost to Government.....	\$7,980

- **FAR 52.223-7, Notice of Radioactive Material.** It is estimated that it takes Government personnel one hour to review the information provided by the contractor.

Total annual responses.....	11,640
Review time/response (hours).....	x <u>1</u>
Review time/year (hours).....	11,640
Hourly rate (GS-13/Step 5 + 36.25%).....	x <u>\$70</u>
Estimated cost to Government.....	\$814,800

- **FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (Basic).** It is estimated that it takes Government personnel fifteen minutes to review the information provided by the contractor.

Total annual responses.....	1,988
Review time/response (hours).....	x <u>0.25</u>
Review time/year (hours).....	497
Hourly rate (GS-13/Step 5 + 36.25%).....	x <u>\$70</u>
Estimated cost to Government.....	\$34,790

- **FAR 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons.** It is estimated that it takes Government personnel one hour to review the information provided by the contractor.

Total annual responses.....	1,305
Review time/response (hours).....	x <u>1</u>
Review time/year (hours).....	1,305
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to Government.....	\$76,995

- **FAR 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners.** It is estimated that it takes Government personnel one hour to review the information provided by the contractor.

Total annual responses.....	601
Review time/response (hours).....	x <u>1</u>
Review time/year (hours).....	601
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to Government.....	\$35,459

- **FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation.** It is estimated that it takes Government personnel one hour to review information provided by the registrant.

Total annual responses.....	8,000
Review time/response (hours).....	x <u>1</u>
Review time/year (hours).....	8,000
Hourly rate (GS-12/Step 5 + 36.25%).....	x <u>\$59</u>
Estimated cost to Government.....	\$472,000

- **Total Government Burden.** The following is a summary of the total estimated Government burden associated with these FAR part 23 requirements:

Requirement	Responses	Hours	Cost
FAR 52.223-2	137,394	206,091	\$14,426,370
FAR 52.223-5 Haz/Chem	522	522	\$30,798

FAR 52.223-5 Toxic	1,056	3,168	\$186,912
FAR 52.223-5 EMS	1,305	1,305	\$76,995
FAR 52.223-5 FCA	1,531	1,531	\$90,329
FAR 52.223-6	228	114	\$7,980
FAR 52.223-7	11,640	11,640	\$814,800
FAR 52.223-9	1,988	497	\$34,790
FAR 52.223-11	1,305	1,305	\$76,995
FAR 52.223-12	601	601	\$35,459
FAR 52.223-22	8,000	8,000	\$472,000
TOTAL	165,570	234,774	\$16,253,428

15. Explain reasons for program changes or adjustments reported in Item A.13 or A.14.

This extension includes updates to the burden as follows:

- The estimated cost per hour is based on the current (calendar year 2022) OPM GS hourly rate for the rest of the United States, plus 36.25%, rounded to the nearest whole dollar. There are no changes to the specific GS levels identified for each burden estimate.
- Where FPDS data is used, the estimated number of respondents and responses per year are based on the average of FPDS data for the three most recent fiscal years (2019 through 2021). The parameters for data pulled from FPDS for each clause is consistent with the prescription for each clause, resulting in changes to the number of respondents and average contracts per respondent for the burden estimates for the clauses at FAR 52.223-2, 52.223-6, 52.223-7, 52.223-9, 52.223-11, and 52.223-12.
- The annual responses per respondent for FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts, are revised from five responses per contractor to two responses per contract per contractor (or six total responses), since the contractor submits the report annually and at the end of contract performance.

- The FPDS data for FAR 52.223-7, Notice of Radioactive Material, is now based on contract awards with certain PSCs instead of North American Industrial Classification System (NAICS) Codes. NAICS Codes identify specific business functions, while PSCs are for the product itself. Since the clause prescription identifies specific supplies that normally contain radioactive material, PSC is more appropriate for generating an estimate of potentially impacted contracts. In addition, an assumption is made that one out of six contracts per contractor may be impacted; this is in lieu of estimated the percentage of respondents that would report. This resulted in an increased from 500 respondents and 2,500 responses to 2,328 respondents and 11,640 responses.
- The estimated number of potential respondents to complete the representation in FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals–Representation, is increased from 7,740 to 8,000 given the public attention to climate change.

16. Outline plans for published results of information collections. Results will not be tabulated or published.

17. Approval not to display expiration date. Not applicable.

18. Explanation of exception to certification statement. Not applicable.

B. Collections of Information Employing Statistical Methods. Statistical methods are not used in this information collection.