

**SUPPORTING STATEMENT
FEDERAL PLANT PEST AND
NOXIOUS WEED REGULATIONS
OMB NO. 0579-0054**

NOTE: This renewal request includes the merger of 0579-0187, Plant Pest Regulations; Update of Provisions. When this request is approved, 0579-0187 will be discontinued.

JUSTIFICATION

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

The United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases, insect pests, and noxious weeds from entering the United States, preventing the spread of these organisms that are not widely distributed in the United States, and eradicating imported pests when eradication is feasible.

In accordance with Section 412 of the Plant Protection Act (Title IV, Pub L. 106-224, 114 Stat. 438, 7 U.S.C. 7712), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, exportation, or interstate movement of plants, plant products, biological control organisms, noxious weeds, soil, regulated garbage, or means of conveyance, if the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination of plant pests or disease within the United States. The associated regulations that were issued by the Animal and Plant Health Inspection Service (APHIS) are located in 7 CFR Parts 330 and 360.

The introduction and establishment of new plant pests or noxious weeds in the United States could result in severe physical and economic losses to American agriculture. To prevent this from happening, APHIS will use information collection activities in these regulations.

APHIS is asking the Office of Management and Budget (OMB) to approve for 3 years use of these information collection activities associated with preventing the entry and spread of harmful plant pests, diseases, and noxious weeds in the United 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.

APHIS uses the following information collection activities to prevent the introduction and dissemination of plant pests and noxious weeds within the United States.

General Permit; (7 U.S.C. 7711); (Private Sector)

(Merged from 0579-0187)

A general permit is a general authorization to conduct activities specified on the permit. It may be issued by APHIS as an exception to other types of permits that are limited in time and scope. General permits do not require an application but APHIS must receive information from a requestor about its special circumstances that would justify its issuance.

Emergency Action Notification (PPQ Form 523); (7 CFR 330.106); (Individual)(Business)

PPQ Form 523 is prepared by a Federal official and issued to a broker, shipper, market owner, or other stakeholder responsible for a certain consignment failing specific requirements and requiring remedial action. The form describes the failure, and provides basic explanations and options of required remedial actions. Receipt and consignment disposition are annotated by the stakeholder.

Notice of Arrival (PPQ Form 368 or equivalent); (7 CFR 330.111); (Individual)(Business)

(Previously reported as Advanced Notice of Arrival.) Importers of regulated articles may be required to complete PPQ Form 368 (or equivalent form depending upon port procedures) at or before the shipment's arrival into the United States. The form provides information needed by Federal inspectors or officers to identify and track shipments enroute to the United States, and to schedule inspections and treatments at the appropriate ports of entry. Timely submission mitigates delays in the port clearance process.

Application for Permit to Move Live Plant Pests, Noxious Weeds, Soil, and Prohibited Plants (PPQ Form 526); (7 CFR 330.201(a), 360.301(a)); (Individual)(Business)

Persons proposing the movement of live plant pests, noxious weeds, soil, or prohibited plants must request a movement permit. Information collected in the application includes the article being moved including its intended use; current status in the destination State or territory; place of origin, intermediary ports, and destination of the movement; method, dates of arrival, and size of shipments; measures for preventing plant pest dissemination, and the method of final disposition. APHIS and State personnel (in the State of destination, as appropriate) evaluate information provided on PPQ Form 526 to assess the risks associated with the proposed movement of plant pests, noxious weeds, or soil, and determine whether a permit can be issued and also to develop risk-mitigating conditions for the movement. The information is used for the initial permit evaluation and may be reviewed for subsequent permits. A permit can be issued for more than one organism, cover multiple shipments, and be valid for as little as one month or up to 3 years, depending on the type of movement.

Application for Permit to Move Live Plant Pests, Noxious Weeds, Soil, and Prohibited Plants - Interstate Movement Permit (PPQ Form 526); (7 CFR 330.201(b), 360.301(b)); (Individual)(Business)

Persons proposing the movement of live plant pests, noxious weeds, soil, or prohibited plants from any State into or through any other State must request an interstate movement permit. Information collected in the application includes the article being moved including its intended use; current status in the destination State or territory; place of origin, intermediary ports, and destination of the movement; method, dates of arrival, and size of shipments; measures for preventing plant pest dissemination, and the method of final disposition. APHIS and State personnel (in the State of destination, as appropriate) evaluate information provided on PPQ Form 526 to assess the risks associated with the proposed movement of plant pests, noxious

weeds, or soil, and determine whether a permit can be issued and also to develop risk-mitigating conditions for the movement. The information is used for the initial permit evaluation and may be reviewed for subsequent permits. A permit can be issued for more than one organism, cover multiple shipments, and be valid for as little as one month or up to 3 years, depending on the type of movement.

Application for Permit to Move Live Plant Pests, Noxious Weeds, Soil, and Prohibited Plants - Continued Curation Permit (PPQ Form 526); (7 CFR 330.201(a)); (Individual)(Business)

Permittees requiring to continue their movement permit may request a continued curation permit. Requests must be submitted prior to the expiration date of the import or interstate movement permit.

Permit Amendments; (7 CFR 330.201); (Individual)(Business)

If a permittee determines that circumstances have changed since the permit was initially issued and wishes the permit to be amended accordingly, he or she must request the amendment either through APHIS' online portal for permit applications or by contacting APHIS directly via phone or email. The permittee may have to provide supporting information justifying the amendment. APHIS reviews the amendment request and may amend the permit if only minor changes are necessary. Requests for more substantive changes may require a new permit application.

Consultation with Agencies about Permit Conditions; (7 CFR 330.202(a), 360.302(a)); (State, Tribe, Local Government)

APHIS may consult with other Federal, State, or Tribal officials for their views on the danger of dissemination of plant pests in connection with a movement of plant pests, noxious weeds, and soil.

Initial Assessment of Site/Facility for Organism/Associated Articles; (7 CFR 330.202(b), 360.302(b)); (Individual)(Business)

Prior to issuance of a permit, APHIS will assess all sites and facilities that are listed on the permit application, including private residences, biocontainment facilities, and field locations, where the organism or article will be held or released. As part of this assessment, all sites and facilities are subject to inspection and must be determined by APHIS to be constructed and maintained in a manner that prevents the dissemination or dispersal of plant pests, biological control organisms, or associated articles from the facility. The applicant must provide all information requested by APHIS regarding this assessment and must allow all inspections requested by APHIS during normal business hours. Failure to do so may result in disapproval of the permit application.

Unscheduled Site Assessments; (7 CFR 330.202(b)); (Individual)(Business)

At any point following issuance of a permit but prior to its expiration date, an inspector may conduct unscheduled assessments of the site or facility in which the organisms or associated articles are held to determine whether they are constructed and are being maintained in a manner that prevents the dissemination of organisms or associated articles from the site or facility. The permittee must allow all such assessments requested by APHIS during normal business hours. Failure to allow such assessments may result in revocation of the permit.

Petition to Add Biological Control Organisms to the List of Organisms Granted Exceptions from Permitting Requirements; (7 CFR 330.202(c)); (Individuals, Private Sector)

(Merged from 0579-0187)

Any person may submit a petition to APHIS, in writing, to add a biological control organism to the list referred to in 7 CFR 330.202(b). It must include:

(1) Evidence indicating that the organism is indigenous to the continental United States throughout its geographical or ecological range, or evidence indicating that the organism has produced self-replicating populations within the continental United States for an amount of time sufficient, based on the organism's taxon, to consider that taxon established throughout its geographical or ecological range in the continental United States.

(2) Results from a field study where data was collected from representative habitats occupied by the biological control organism. Studies must include sampling for any direct or indirect impacts on target and non-target hosts of the biological control organism in these habitats. Supporting scientific literature must be cited.

(3) Any other data, including published scientific reports, that suggest that subsequent releases of the organism into the environment of the continental United States will present no additional plant pest risk (direct or indirect) to plants or plant products.

Petition to Add Plant Pests to the Plant Pest List; (7 CFR 330.204(b)); (Individuals, Private Sector)

(Merged from 0579-0187)

Any person may submit a petition to APHIS, in writing, to add a plant pest to the list of plant pests that may be moved in interstate commerce within the continental United States without restriction. It must include:

(1) The biology of the plant pest, including characteristics that allow it to be identified, known hosts, and virulence; the geographical or ecological range of the plant pest within the continental United States; and the areas of the continental United States within which the plant pest is established; or

(2) Information that the plant pest is commercially available and raised under the regulatory purview of another Federal agency (which must include a citation to the relevant law, regulation, or order under which the agency exercises such oversight).

Petition to Remove Plant Pests from the Plant Pest List; (7 CFR 330.204(c)); (Individuals, Private Sector)

(Merged from 0579-0187)

Any person may submit a petition to APHIS, in writing, to remove a plant pest from the list of plant pests that may be moved in interstate commerce within the continental United States without restriction. It must include independently verifiable information demonstrating that APHIS' initial determination that the plant pest belongs to one of the categories in 7 CFR 330.204(a) should be changed, or that additional information is now available that would have caused us to change the initial decision.

Written/Electronic Agreement of Permit Conditions; (7 CFR 330.203, 330.300(c), 360.303); (Individual)(Business)

Prior to issuing the permit, APHIS will notify the applicant in writing or electronically of all proposed permit conditions. The applicant must agree in writing or electronically that he or she, and all his or her employees, agents, and/or officers, will comply with all permit conditions. If the organism or associated article will be contained in a private residence, the applicant must state in this agreement that he or she authorizes APHIS to conduct unscheduled assessments of the organism or associated article location (including private residence) during normal business hours.

Written/Electronic Agreement of Permit Amendments; (7 CFR 330.203, 330.300(c)); (Individual)(Business)

APHIS may amend any permit and its conditions at any time, upon determining that the amendment is needed to address newly identified considerations concerning the risks presented by the organism or the activities being conducted under the permit. APHIS may also amend a permit at any time to ensure that the permit conditions are consistent with all of the requirements of this part. As soon as circumstances allow, APHIS will notify the permittee of the amendment to the permit and the reason(s) for it. Depending on the nature of the amendment, the permittee may have to agree in writing or electronically that he or she, and his or her employees, agents, and/or officers, will comply with the permit and conditions as amended before APHIS will issue the amended permit. If APHIS requests such an agreement, and the permittee does not agree in writing that he or she, and his or her employees, agents, and/or officers, will comply with the amended permit and conditions, the existing permit will be revoked.

Written/Electronic Consultation/Objection of Permit Issuance Conditions (7 CFR 330.204(a)(5)); (State, Tribe, Local Government)

A State or Tribal executive official, or a State or Tribal plant protection official authorized to do so, may make written objection to the movement of a plant pest or noxious weed if they believe such movement may involve dissemination of a plant pest into their State.

Withdrawal of Permit Application; (7 CFR 330.204, 360.304); (Individual)(Business)

Any permit application may be withdrawn at the request of the applicant. Requests must be submitted in writing to APHIS who will provide written notification to the applicant as promptly as circumstances allow.

Cancellation of a Permit Application; (7 CFR 330.204(b), 360.304); (Individual)(Business)

Any permit that has been issued may be canceled at the request of the permittee in writing to APHIS. APHIS will notify the permittee in writing when the permit is canceled.

Appeal of Denial or Cancellation of Permit or Opportunity for Hearing; (7 CFR 330.204(c), 360.304(c)); (Individual)(Business)

Any person whose application has been denied, whose permit has been revoked or amended, or whose authorization for actions authorized under a permit has been suspended, may appeal the decision in writing to the Administrator within 10 business days after receiving the written notification of the denial, revocation, amendment, or suspension. The appeal shall state all of the facts and reasons upon which the person relies to show that the application was wrongfully denied, permit revoked or amended, or authorization for actions under a permit suspended. The

Administrator shall grant or deny the appeal, stating the reasons for the decision as promptly as circumstances allow.

Living Regulated Organisms Red and White Shipping Labels (PPQ Form 599), (7 CFR 330.211), (Business); Quarantine Material Black and White Mailing Labels to Return Soil Samples (PPQ Form 550), (7 CFR 330.300(d)), (Business); and Quarantine Material Yellow and Green Mailing Labels to Return Soil Samples (PPQ Form 508), (7 CFR 330.300(d)); (Individual)(Business)

Regulated organisms and soil must be shipped in sturdy, escape-proof containers, and permit conditions may require an original PPQ Form 508, 550, or 599 be attached to the exterior of each shipping package. Packages without labels on the exterior may be refused entry even if the labels are enclosed. Each label is a tag individually numbered with a distinctive barcode that identifies an individual shipment and directs it to a designated port of entry or Plant Inspection Station (PIS) where it will be inspected and cleared. Labels are requested via email using addresses provided at www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/regulated-organism-and-soil-permits.

Notification of Intent to Hand-Carry; (7 CFR 330.212); (Individual)(Business)

A permittee requesting hand-carry shipping authorization must notify APHIS through APHIS' online portal for permit applications or by fax after an import permit is obtained but no less than 20 days prior to movement. The request must include (1) the passport number for the individual or individuals who will hand-carry the plant pest, biological control organism, or soil; (2) a description of the means of conveyance in which the individual or individuals will travel, including flight number and airline name for air travel, or vehicle license number or other identifying number for other modes of transportation; (3) expected date and time of first arrival; (4) expected port of first arrival; and (5) travel itinerary from port of first arrival to final destination. The permittee or his or her designee must notify APHIS within 24 hours of arrival of the hand-carried plant pest, biological control organism, or soil at the biocontainment facility or other authorized point of destination. This notification must state that the plant pest, biological control organism, or soil has arrived at its destination and that the package in which it was hand-carried has remained sealed until arrival. Notification must be by fax/email, or via the APHIS website at www.aphis.usda.gov/plant_health/permits/index.shtml.

Appeal of Denial, Amendment, or Cancellation of Hand-Carry Intent; (7 CFR 330.212); (Individual)(Business)

Any person whose request to hand-carry has been denied, or whose authorization to hand-carry has been amended or canceled, may appeal the decision in writing to APHIS.

Application for Permit to Receive Soil (PPQ Form 525A); (7 CFR 330.300); (Individual)(Business)

PPQ Form 525A must be submitted to receive a permit to move soil. Movement into the United States from foreign sources is prohibited and movement within the continental United States is restricted unless authorized by APHIS under specific conditions (e.g., safeguards applied). Exceptions must be granted by APHIS and only under strictly controlled circumstances described in the permit.

Garbage Conveyance Inspection and Certificate; (7 CFR 330.401(b)(2)(i)); (Business)

Garbage on or removed in the United States from a means of conveyance other than an aircraft is exempt from requirements under § 330.401(d) if the means of conveyance is accompanied by a certificate from an inspector stating (a) the means of conveyance had previously been cleared

of all garbage and of all meats and meat products, whatever the country of origin, except meats that are shelf-stable; all fresh and condensed milk and cream from countries designated in 9 CFR 94.1 as those in which foot-and-mouth disease exists; all fresh fruits and vegetables; and all eggs; and the items previously cleared from the means of conveyance as prescribed by this paragraph have been disposed of according to the procedures for disposing of regulated garbage, as specified in paragraphs (d)(2) and (d)(3) of this section; (b) the means of conveyance had then been cleaned and disinfected in the presence of the inspector; and (c) since being cleaned and disinfected, the means of conveyance has not been in a non-Canadian foreign port.

Garbage Conveyance Inspection and Certificate for Hawaii, Territories, or Possessions; (7 CFR 330.401(c)(2)(i)); (Business)

Garbage on or removed from a means of conveyance is regulated garbage if at the time the garbage is on or removed from the means of conveyance the means of conveyance has moved during the previous 1-year period, either directly or indirectly, to the continental United States from any territory or possession or from Hawaii, to any territory or possession from any other territory or possession or from Hawaii, or to Hawaii from any territory or possession. There are two exceptions: (1) the means of conveyance is accompanied by a certificate from an inspector stating that the means of conveyance had been cleared of all garbage and all fresh fruits and vegetables; and (2) the items previously cleared from the means of conveyance as prescribed by this paragraph have been disposed of according to the procedures for disposing of regulated garbage.

Application for Approval of Establishment to Handle Regulated Garbage; (7 CFR 330.401(d)(3)(i)); (Business)

(Previously reported as Application for Approval of Facility or Sewage System.) Garbage that is offloaded from any air/maritime conveyance must be safeguarded and moved to an approved facility for proper disposal. An application for approval of a facility is made in writing by an authorized establishment representative or official. Facility approval will be granted after APHIS inspects the facility and determines that the disposal of regulated garbage is adequate to prevent the spread of plant pests (or livestock or poultry diseases) within the United States.

Opportunity to Show Cause After Withdrawal/Denial of Facility Approval; (7 CFR 330.401(d)(3)(ii)); (Business)

Facility approval may be denied or withdrawn at any time if the Administrator determines that approval requirements are not met, after notice of the proposed denial or withdrawal of the approval and the reasons therefor, and an opportunity to demonstrate or achieve compliance with such requirements has been afforded to the operator of the facility or sewage system and to the applicant for approval. Facility approval may also be withdrawn without such prior procedure in any case in which the public health, interest, or safety requires immediate action, and in such case, the operator of the facility or sewage system and the applicant for approval shall promptly thereafter be given notice of the withdrawal and the reasons therefore and an opportunity to show cause why the approval should be reinstated. Any business whose facility approval is denied or withdrawn may request in writing an opportunity to show why the approval was wrongfully

denied or withdrawn. Approval may be reestablished if the Administrator determines that the requirements set forth in the regulation are met.

APHIS Regulated Garbage Compliance Agreement and Approval Template (PPQ Form 519 and 519A); (7 CFR 330.403(a)); (Business)

APHIS uses compliance agreements (the generic PPQ Form 519 with PPQ Form 519A approval template) to document APHIS requirements and formal agreements between APHIS and caterers, garbage haulers, garbage processors, and other entities responsible for handling or processing APHIS-regulated garbage. It must be approved by both parties before the business may handle regulated garbage.

Request for Approval to Maintain Possession of Regulated Garbage for More Than 72 Hours; (7 CFR 330.403(a)); (Business)

Once received by the establishment, regulated garbage must not remain in the establishment's possession for more than 72 hours without prior approval in writing from the APHIS Administrator. Requests may be submitted via email.

Labelling of Regulated Garbage Containers; (7 CFR 330.403(a)); (Business)(Third Party Disclosure)

Equipment used to move/store unprocessed regulated garbage must be uniquely identified outside the container and if words are used, marked with "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language.

Certification of Equipment Calibration Testing; (7 CFR 330.403(a)); (Business)

Establishments with sterilizers must have certificates of equipment calibration testing conducted by authorized sterilizer technicians/manufacturers.

Denial of Compliance Agreement and Appeal; (7 CFR 330.403(c)); (Business)

Approval of a compliance agreement request may be denied at any time if the Administrator determines that the applicant has not met or is unable to meet the requirements. Prior to denying a compliance agreement application, APHIS will provide notice to the applicant as well as provide him or her an opportunity to demonstrate or achieve compliance with requirements.

Cancellation of Compliance Agreement and Appeal; (7 CFR 330.403(d)); (Business)

Any compliance agreement may be canceled, either orally or in writing, by an inspector whenever the inspector finds that the person who has entered into the compliance agreement has failed to comply with the requirements. If the cancellation is oral, the cancellation and the reasons for the cancellation will be confirmed in writing as promptly as circumstances allow. Any person whose compliance agreement has been canceled may appeal the decision, in writing, within 10 days after receiving written notification of the cancellation. The appeal must state all of the facts and reasons upon which the person relies to show that the compliance agreement was wrongfully canceled.

Request for Approval to Use New Technology for Handling Regulated Garbage; (7 CFR 330.403); (Business)

Establishments may submit to APHIS solicitations for approval of new technologies for handling regulated garbage.

Regulated Garbage Compliance Program Recordkeeping; (7 CFR 330.403(a)); (Business)

Inspectors must be allowed access to all regulated garbage compliance records maintained by the person responsible for the handling or disposal of garbage, and for all areas where handling or disposal of garbage occurs. Businesses must retain records for three years.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.

PPQ Form 525A and 526 may be completed and submitted online using ePermits. Access is available at https://www.aphis.usda.gov/aphis/resources/permits/sa_plants/ct_ppq_epermits. These forms as well as **PPQ Forms 519, 519A, and 368** are also available in fillable PDF format from the APHIS Forms Library at www.aphis.usda.gov/library/forms.

PPQ Forms 508, 550, and 599 are requested and delivered by email. Instructions for requesting the labels are available at <https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/regulated-organism-and-soil-permits>.

PPQ Form 523 is initiated by port officials.

A general permit and a compliance agreement (PPQ Form 519) are initiated by APHIS after information is exchanged telephonically or in writing with the requestor.

There is no specific form or format for petitions. They may be submitted by email to pest.permits@aphis.usda.gov or any means listed on APHIS' plant pest permitting website.

All other activity documentation is submitted via letter or email.

APHIS is involved with the Government-wide utilization of the International Trade Data System (ITDS) via the Automated Commercial Environment (ACE) to improve business operations and further Agency missions. This will allow respondents to submit the data required by U.S. Customs and Border Protection and its Partner Government Agencies (PGAs) such as APHIS to import and export cargo through a Single Window concept. APHIS is continuing development of e-File for CARPOL (Certification, Accreditation, Registration, Permitting, and Other Licensing) activities as it strives to automate information collection activities. The PPQ 525 and PPQ 526 are available in this system; however, they are not yet automated.

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 APHIS collects is exclusive to its mission of preventing the introduction or dissemination of plant pests, diseases, or noxious weeds within the United States. This information is not available from any other source.

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

APHIS estimates that 15 percent of the business respondents may be considered small entities. The information that APHIS collects is the minimum required.

6. Describe the consequences 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 introduction and spread of a plant pest, noxious weed, or disease could potentially cause severe physical and economic harm to American agriculture. If APHIS did not collect this information or if this information was collected less frequently, APHIS' ability to protect the United States from a plant pest or noxious weed incursion would be significantly compromised.

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

- **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;**

Recipients of PPQ Form 523 (Emergency Action Notification) typically have 48 hours to decide on actions to be taken, and 7 days to complete them.

Any permittee whose permit has been cancelled or revoked by APHIS, or owner/operator of regulated garbage handling facility whose agreement has been cancelled by APHIS, may appeal the decision in writing within 10 days of receiving notification of the cancellation or revocation.

A permittee requesting hand-carry shipping authorization must notify APHIS no less than 20 days prior to movement.

- **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.**

No other special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines 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 recordkeeping, 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.

Consultations concerning APHIS' information collection activities were held with the following individuals. When asked, these respondents held no particular opinion on the data collection efforts or the availability of data for the information collection. They did not hold a positive nor negative viewpoint on data reporting but summarized it as part of the responsibilities of their job. From a general standpoint, the respondents understand the necessity of filling out forms and submitting required documentation to prevent the spread of diseases and pests.

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On Friday, May 20, 2022, APHIS published in the Federal Register on pages 30865 and 30866 a 60-day notice seeking public comments on its plans to request a 3-year renewal of this collection of information. No comments were received.

9. Explain any decision to provide any payment or 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.

Confidential business information (CBI) will be handled in accordance with APHIS 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. Additionally, APHIS published a System of Records Notice (APHIS-10, APHIS Comprehensive Electronic Permitting System (ePermits), 73 FR 23406, April 30, 2008) which describes and addresses privacy security controls and routine uses of information for individual respondents.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and others that are 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 asks 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-I.**

See APHIS Form 71. APHIS estimates there are 4,764 respondents -- 3,544 businesses; 270 State, local, and Tribal entities; and 950 individuals. Response and burden estimates were developed using historical data, calculations, and discussions with field and industry personnel.

- **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 the above respondents to be \$977,182. It arrived at this figure by multiplying the hours of estimated response time (18,885 hours) by

the respondents' estimated average hourly wage of \$35.71, and then multiplying the result by 1.449 to capture benefit costs.

The average hourly wage was obtained with information from the U.S. Department of Labor, Bureau of Labor Statistics Occupational Employment and Wage Statistics website at https://www.bls.gov/oes/current/oes_stru.htm.

According to DOL BLS news release USDL-22-0469 dated March 18, 2022, (see <https://www.bls.gov/news.release/ecec.pdf>), benefits account for 31% of employee costs, and wages account for the remaining 69%. Mathematically, total costs can be calculated as a function of wages, resulting in a multiplier of 1.449.

13. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in items 12 and 14). The cost estimates 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.

There is zero annual cost burden associated with capital and start-up costs, maintenance costs, and purchase of services in connection with this program.

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.

See APHIS Form 79. The estimated annualized cost to the Federal Government is \$1,527,900.

15. Explain the reasons for any program changes or adjustments report in Items 13 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	80,668	0	(340)	(919)	0	81,927
Annual Time Burden (Hours)	21,635	0	(170)	411	0	21,394

This request for renewal includes the merger of 0579-0187 which added 963 hours of burden.

APHIS stopped requiring interstate movement permits for certain butterflies and other common insect species. This discretionary change resulted in an estimate decrease of 340 responses and 170 hours of burden for applications for interstate movement permits.

Estimate adjustments for Tribal consultations with agencies about permit conditions resulted in an increase in respondents but significant decrease of responses per respondent, resulting in an estimate decrease of 250 responses and 250 hours of burden. The remaining burden decreases, such as 222 fewer estimated hours for applications for permits, may be attributed to the COVID pandemic slowdown over the past three years.

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

APHIS has no plans to tabulate or publish the information collected.

17. If seeking approval to not display the expiration date for OMB approval of the information collections, explain the reasons that display would be inappropriate.

PPQ Form 508, **PPQ Form 550**, and **PPQ Form 599** are small shipping labels. Adding OMB information to the labels impairs their utility. APHIS is seeking approval to not display OMB information on the labels.

PPQ Form 368 is used in 3 information collections: 0579-0049, 0579-0054, and 0579-0076. **PPQ Form 519** is used in 12 information collections: 0579-0049, 0579-0054, 0579-0088, 0579-0155, 0579-0310, 0579-0317, 0579-0322, 0579-0331, 0579-0337, 0579-0346, 0579-0363, and 0579-0450. **PPQ Form 523** is used in 7 information collections: 0579-0040, 0579-0049, 0579-0054, 0579-0088, 0579-0144, 0579-0207, and 0579-0310. **PPQ Form 526** is used in 2 information collections: 0579-0054 and 0579-0207. **PPQ Form 599** is used in 2 information collections: 0579-0054 and 0579-0207. Because these information collections have different expiration dates, adding the date to the form would be impractical. APHIS is seeking approval to not display the OMB information collection expiration date on these forms.

APHIS is working with OIRA to develop a separate information collection consolidating all APHIS forms currently used in multiple information collection requests and assigning them a common OMB control number. Currently, ROCIS does not provide a tool for creating intra-agency common forms.

PPQ will display the expiration date on the **PPQ Form 519A** and **PPQ Form 525A**.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act.”

APHIS is able to certify compliance with all the provisions under the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.