

1SUPPORTING STATEMENT A FOR PAPERWORK REDUCTION ACT SUBMISSION

Online Program Management System for Carbon Dioxide-Carp OMB Control Number 1018-0182

Terms of Clearance: None. At this time, we are waiting for EPA to green light our forward progress with this project. There are currently no individuals outside the carbon dioxide – carp User Acceptance Team (UAT) that have used this information collection.

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

The Lacey Act (Act, 18 U.S.C. 42) prohibits the importation of any animal deemed to be and prescribed by regulation to be injurious to:

- Human beings;
- The interests of agriculture, horticulture, and forestry; or
- Wildlife or the wildlife resources of the United States.

Implementation and enforcement of the Lacey Act is the responsibility of the Department of the Interior. The U.S. Fish and Wildlife Service (Service), in concert with our diverse partners, works to conserve, restore, and maintain the nation's fishery resources and aquatic ecosystems for the benefit of the American people, to include managing and controlling four species of invasive carp—bighead, black, grass, and silver—native to Asia. Under the authority of the Act, the Service listed bighead, black, and silver carp species as injurious wildlife to protect humans, native wildlife, and wildlife resources from the purposeful or accidental introduction of invasive carp into the nation's aquatic ecosystems.

The Service takes part in a broad, partner-driven approach to strategically control the movement of invasive carp. The spread of these invasive species in the nation's river systems threatens the conservation efforts conducted by our agency, our State partners, and other stakeholders, to promote self-sustaining aquatic resources and healthy aquatic ecosystems. In addition to widespread and longstanding ecological consequences, aquatic invasive species often result in significant economic losses and cost our nation's economy billions of dollars per year.

To effectively carry out our responsibilities under the Act and protect the aquatic resources of the United States, the Service, in collaboration with the U.S. Geological Survey, proposes to administer applications of Carbon Dioxide-Carp by registered management partners (applicators) and to collect information regarding the usage of Carbon Dioxide-Carp, an Environmental Protection Agency (EPA) registered product #6704-95 to control invasive carp. Carbon Dioxide-Carp is approved for use only by the Service, the U.S. Geological Survey, the U.S. Army Corps of Engineers, State or other governmental natural resource managers, or persons under their direct supervision. See USGS website:

https://www.usgs.gov/centers/umesc/science/registration-carbon-dioxide-carp?qt-science_center_objects=0#qt-science_center_objects

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 Service will use the information collected to document the label requests, maintain inventory, and document application results of Carbon Dioxide-Carp as an EPA registered product. The Service collects information from applicators using the following five forms:

Form 3-2130: Report on Receipt of Label – Applicators must apply for a label to attach to a treatment container of Carbon Dioxide-Carp prior to being able to legally apply it as an invasive carp deterrent or as an under-ice lethal control for aquatic nuisance species. This form collects the following information:

- Applicant's information, to include address, date of birth, contact number(s), email address, and relevant business information (if application is on behalf of a business, corporation, public agency, Tribe, or institution);
- Date of label receipt;
- Site of application, to include GPS location, approximate number of surface acres, and date of application;
- Label number; and
- Name and address of applicator.

Form 3-2163: Inventory Form for Use with Carbon Dioxide-Carp – Registered applicators must maintain an accurate inventory of CO₂-Carp for the duration of possession of the product label. This form collects the following information:

- Applicant's information, to include address, date of birth, contact number(s), email address, and relevant business information (if application is on behalf of a business, corporation, public agency, Tribe, or institution);
- Date of application;
- Amount of Carbon Dioxide-Carp applied (pounds);
- Label number;
- Label return date;
- Any adverse incident; and
- Name of applicator and affiliation.

Form 3-2164: Worksheet for Field Application Locations – Applicators must complete Form 3-2164 for each application of Carbon Dioxide-Carp before the actual application. This form collects the following information:

- Applicant's information, to include address, date of birth, contact number(s), email address, and relevant business information (if application is on behalf of a business, corporation, public agency, Tribe, or institution);
- Site information, to include the name and address of the location; applicator name, address, telephone number, and email address; and the applicator's certification number; and
- Carbon Dioxide-Carp use information, to include estimated pounds of CO₂ needed, estimated dates of use, purpose, and a list of obtained permits.

Form 3-2191: Results Report Form – Investigator must submit application results to the Service to document efficacy of the treatment and any possible adverse effects, as this data is required by the EPA to maintain product registration. This form collects the following information:

- Applicant's information, to include address, date of birth, contact number(s), email address, and relevant business information (if application is on behalf of a business, corporation, public agency, Tribe, or institution);
- Site information (to include GPS coordinates and city/county/state) and reporting

- individual; and
- Application information, to include total amount of Carbon Dioxide-Carp used (pounds); application date(s); adverse incident information (to include date reported to the U.S. Geological Society); success of application treatment; applicator name and label number; NPDES Permit number; and other required permits and permit numbers.

Form 3-2541: 6(a)(2) Adverse Incident Report – Investigator must submit application adverse results to the Service to document any irregularities in the application circumstances or adverse effects on non-target organisms. This form collects the following information:

- Administrative data, to reporting and contact individual (if different), address and phone number, incident status, location and date of incident, when registrant became aware of incident, and whether incident was part of a larger study;
- Pesticide data, to include whether exposure was to concentrate prior to dilution;
- Incident circumstances, to include whether there is evidence that label directions were not followed, whether applicator is a certified pest control operator, type of exposure, incident site, situation, and brief description of habitat and incident circumstances; and
- Information involving fish, wildlife, plants, or other non-target organisms; species; symptoms or adverse effects; magnitude of the effects; and any explanatory or qualifying information surrounding the incident.

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.

Currently, we expect all users will submit information to the Service electronically, via the Service's ePermits system. We will also accept documents as an email attachment when a partner does not have access to ePermits. We estimate receiving approximately 99% of submissions electronically.

We are exploring the feasibility of using the Service's "ePermits" system, an automated permit application system to move towards a streamlined permitting process to reduce public burden. The ePermits platform will automate the five forms associated with this proposed information collection. Public burden reduction is a priority for the Service, the Assistant Secretary for Fish and Wildlife and Parks, and senior leadership at the Department of the Interior. The intent of the ePermits initiative is to fully automate the permitting and reporting process to improve the customer experience and to reduce time burden on respondents. This system enhances the user experience by allowing users to enter data from any device that has Internet access, including personal computers, tablets, and smartphones. It will also link the permit applicant to the Pay.gov system for payment of any associated fees.

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.

There is no duplication. The information collected is specific to the Carbon Dioxide – Carp Program. Due to the unique nature of each program, no other division of the Service or any other Federal agency collects this information from the public.

5. If the collection of information impacts small businesses or other small entities,

describe any methods used to minimize burden.

We collect only the minimum information necessary for us to determine eligibility of applicants to participate in the program per the EPA label requirements and to assure Carbon Dioxide-Carp application is legal in a state identified by the applicant. This information collection will not significantly impact small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If we did not collect the information, the Service would be unable to administer the Carbon Dioxide – Carp Program or distribute the label which is a legal requirement by EPA.

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.

There are no special circumstances requiring collection of the information in a manner inconsistent with OMB guidelines.

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.

On October 30, 2023, we published in the *Federal Register* ([88 FR 74204](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on December 29, 2023. In an effort to increase public awareness of, and participation in, our public commenting processes associated with information collection requests, the Service also published the *Federal Register* notice on Regulations.gov (Docket No. [FWS-R3-FAC-2023-0204](#)) to provide the public with an additional method to submit comments. We received two comments in response to that notice. However, neither comment addressed the information collections. Therefore, no response is required.

There are currently no individuals outside the carbon dioxide – carp User Acceptance Team (UAT) that have used this information collection process to respond appropriately here. The UAT can provide estimates but these is the only response available until such time as ePermits is opened to potential applicators.

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

We will not provide any payment 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.

We do not provide any assurance of confidentiality. Information collected may be shared in accordance with the Privacy Act of 1974 or the routine uses listed in System of Records Notice [INTERIOR/FWS-21, Permits System](#) - 68 FR 52610 (September 4, 2003); modifications published [73 FR 31877](#) (June 4, 2008) and [88 FR 16277](#) (March 16, 2023).

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.

We will not ask any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance.**

Generally, estimates should not include burden hours for customary and usual business practices.

- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

We estimate that we will receive **42 responses** totaling **10 annual burden** hours for this information collection. The total dollar value of the annual burden hours is approximately **\$599** (\$59.90 x 10 burden hours).

Table 1 from the of Bureau of Labor Statistics (BLS) [News Release](#) USDL-23-2567, December 15, 2023, Employer Costs for Employee Compensation—September 2023, lists the hourly rate for government workers as \$59.90, including benefits.

Table 12.1

Requirement	Average Number of Annual Respondents	Average Number of Responses Each	Average Number of Annual Responses	Average Completion Time per Response	Estimated Annual Burden Hours*
(ePermits) Form 3-2130: Report on Receipt of Label					
Government	9	1	9	12 min	2
Form 3-2130: Report on Receipt of Label					
Government	1	1	1	15 min	0
(ePermits) Form 3-2163: Inventory Form for Use with Carbon Dioxide-Carp					
Government	9	1	9	12 min	2
Form 3-2163: Inventory Form for Use with Carbon Dioxide-Carp					
Government	1	1	1	15 min	0
(ePermits) 3-2164: Worksheet for Field Application Locations					
Government	9	1	9	12 min	2
Form 3-2164: Worksheet for Field Application Locations					
Government	1	1	1	15 min	0
(ePermits) Form 3-2191: Results Report Form					
Government	9	1	9	12 min	2
Form 3-2191: Results Report Form					
Government	1	1	1	15 min	0
(ePermits) Form 3-2541: 6(a)(2) Adverse Incident Report					
Government	1	1	1	50 min	1
Form 3-2541: 6(a)(2) Adverse Incident Report					
Government	1	1	1	60 min	1
Totals:	42		42		10

*Rounded to match ROCIS

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.

The total non-hour cost burden is estimated to be **\$45,000** in Year 1 (and then \$15,000 in subsequent years) as shown below (with the 10 respondents representing both hard copy and ePermits submissions via FWS Form 3-2130):

(a) Start Up Component	Total Annual Responses	Fee Amount	Total Estimated Start Up
One-time start up purchase	10	\$ 3,000	\$ 30,000
(b) Requirement	Total Annual Responses	Fee Amount	Total Estimated Fees
EPA Maintenance Fees	10	\$ 400	\$ 4,000
State Registration Fees	10	252	2,520
Administrative Fees*	10	848	8,480
TOTAL:			\$ 45,000

The Service will pass the Administrative Fees* to USGS as the designated agent for EPA registration. This includes salary for preparing and filing State registration fees, preparation and filing of EPA maintenance fees, processing label requests, and follow up on forms/reports (detailed in #14).

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The estimated annual cost to the Federal Government associated with this collection of information is **\$40,719** (rounded). This cost includes \$10,719 (rounded) in salaries and an estimated \$30,000 per year for annual platform maintenance costs.

To determine average annual salary costs, we used the Office of Personnel Management Salary Table [2024-RUS](#) as an average nationwide rate. In accordance with BLS [News Release](#) USDL-23-2567, we multiplied the annual salary by 1.61 to account for benefits. To determine average annual salary costs, we used the estimated time required to perform the listed tasks:

Activity	Grade/ Step	Hourly Rate	Hourly Rate with Benefits	Total Responses	Time per Response (Hour)	Total Annual Hours	Annual Cost
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Preparing and filing state registration fees	GS-12/5	\$ 47.22	\$ 76.02	10	2	20	\$ 1,520.40
Preparing and filing EPA maintenance fees	GS-12/5	47.22	76.02	1	2	2	152.04
Processing requests for label	GS-12/5	47.22	76.02	7	7	49	3,724.98
Follow up on forms	GS-12/5	47.22	76.02	7	10	70	5,321.40
Total:							\$ 10,718.82

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

We are not reporting any program changes or adjustments.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information we will collect will not be published.

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

Not applicable.

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

There are no exceptions to the certification statement.