
**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT**

**PAPERWORK REDUCTION ACT SUBMISSION
1SUPPORTING STATEMENT A**

**REPORTING PROVISION FOR SUBSTITUTION TIMBER EXPORT DETERMINATION AND LOG
SCALE DISPOSITION
(43 CFR PARTS 5424 AND 5462)**

OMB CONTROL NUMBER 1004-0058

Terms of Clearance: The Office of Management and Budget (OMB) provided no terms of clearance when it last approved the collections of information under this OMB control number in December 2021 (See OMB Notice of Action (NOA) dated December 2, 2021).

Abstract: The Bureau of Land Management (BLM) collects the information from respondents to determine if they are qualified by statute to purchase Federal timber resources originating from public lands managed by the BLM. This OMB control number is currently scheduled to expire December 31, 2024. This request is for OMB to renew this OMB cool number for an additional three (3) years.

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

This OMB control number pertains to the BLM's regulations at 43 CFR parts 5000, 5400, 5420, 5440, 5450, 5460, 5470, and 5500 that address protests of forest management decisions and the administration of the timber sale process.

The BLM uses the information to:

- Enforce statutory restrictions on:
 - (1) exports of unprocessed timber purchased from Federal lands west of the 100th meridian in the contiguous 48 states;
 - (2) the purchase of such timber by a person who has exported such timber during the preceding 24-month period;
- Collect disposition data (i.e. how much timber is harvested or processed by small businesses) that help the Small Business Administration establish targets for the BLM to set aside a percentage of sales that must be offered exclusively to small businesses for certain geographical areas; and

The following authorities necessitate this collection of information:

- The Timber Resources Conservation and Shortage Relief Act, 16 U.S.C. 620 – 620j;
- The Materials Act, 30 U.S.C. 601 – 604;
- The Oregon and California Lands Act, 43 U.S.C. 2601; and
- 43 CFR parts 5000 and 5420.

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.

Respondents to this information collection are purchasers of federal timber and their affiliates. The information collection requirements pertinent to the BLM's administration of forest management decisions and monitoring prohibitions on timber export that are contained in the BLM's regulations at 43 CFR Parts 5000 and 5424 and are explained below. The BLM also uses these forms quantify small business purchases of BLM timber. The BLM requests this information from purchasers and processors of BLM timber.

43 CFR 5003.3: The BLM collects information at 43 CFR 5003.3 in a non-form format. This regulation contains a requirement to provide an opportunity for public participation prior to issuing a forest management decision under § 5003.2.

43 CFR 5424.1: The BLM uses two forms to collect the information described at 43 CFR 5424.1 and listed below:

Export Determination (Form 5450-17) – §§ 5424.1(a)(1) and (a)(2) contain a reporting requirement for purchasers and affiliates to report the export of private timber from within 1 year to 2 years. This information is collected in the Form 5450-17.

On the Form 5450-17 (Export Determination), the BLM requires applicants to disclose:

- a) The location of the processing facility to determine the tributary area;
- b) An answer (yes or no) to the question, "Have you exported private timber from lands tributary to the above processing facility within the last 24 months?"
- c) If the answer is "yes" to the above question, the date of the last export sale;
- d) The names of affiliates (as defined at 43 CFR 5424.0-5) who have exported private timber from lands tributary to the above processing facility within the last 24 months and date of last export sale;
- e) The name of the firm for identification purposes;
- f) Signature of signing officer;
- g) Title of signing officer; and
- h) Date.

Log Scale and Disposition of Timber Removed Report (Form 5460-15) -- When logs are sold, in order to determine the basis for a sale price in a standard way, the logs are "scaled" which means they are measured, identified as to species, and deductions for defects assigned to produce a net volume of merchantable wood. The Log Scale and Disposition of Timber Removed Report (Form 5460-15) requires purchasers to disclose:

- a) The name of the processing facility where title to Federal timber was transferred;
- b) For each processing facility and each tree species: the species, volume units, gross volume, volume by disposition category, and cull-log volume;
- c) A calculation showing a total for each and all processors for the timber data provided in (b);
- d) Selection indicating by whom the timber was scaled;
- e) The scaling methods/rules used;
- f) An opportunity to provide clarifying comments;
- g) Signatures, titles, business addresses, and signature dates of the certifying officials acknowledging the certification statement; and
- h) The name, title, and corporate seal of the witnessing corporate officer acknowledging authority of the corporate certifying official, when appropriate.

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.

The Form 5450-17 is electronically available to the public in fillable, printable format on BLM's Forms Web site at <http://www.blm.gov/noc/st/en/business/eForms.html>. A respondent may choose to submit either of these forms electronically by scanning and then emailing them to the appropriate BLM office.

Form 5460-15 is electronically available to the BLM in fillable, printable format on BLM's internal website. The BLM provides printed copies of the form for completion by all timber-sale purchasers.

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.

For the Export and Substitution data, there is no duplication of this information with other programs. This information comes from private company records and is unique to each company and each timber sale and cannot be obtained from another source. Each purchaser or affiliate is the only source of its own timber-volume disposition.

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

All purchasers of BLM timber are required to complete the forms including small businesses and business that qualify as such under Small Business Administration. We limit the required information to the minimum necessary to maintain a complete and accurate record of export restrictions and timber disposition on BLM timber sales. Each form is collected once per timber sale contract which can span up to a four-year term.

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 the BLM does not collect the information, it would be impossible to determine if there was any violation of the regulations and contract terms, and the BLM would not be able to evaluate the market conditions affecting small business entities that allow eligibility for small businesses' sole access to certain BLM timber sales.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

No special circumstances require the collection to be conducted in a manner inconsistent with the guidelines. We do not exceed the guidelines in 5 C.F.R. 1320.5(d).

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 March 26, 2024, the BLM published a *Federal Register* notice soliciting comments for a period of 60 days on this collection of information (89 FR 20999). The comment period closed on May 28, 2024. The BLM received no comments in response to that notice.

Additionally, as required by 5 CFR 1320.5(a)(1)(iv), BLM will publish a notice in the *Federal Register* announcing the submission of this request to OMB and allowing the public 30 days to send comments on the proposed extension of this OMB number to OMB.

The BLM has consulted with the following respondents to obtain their views on the availability of data; frequency of collection; the clarity of instructions; the recordkeeping, disclosure, and reporting formats; and on the data elements to be recorded, disclosed, or reported;

- 3H Forestry and Land Management LLC;
- Lone Rock Timber Co.; and
- Swanson Group Co.

Generally, respondents agree that the information collection is useful and that the burden estimates are reasonable. One previous respondent provided the following feedback:

1. Volumes removed used to be reported to adjust the small business share to actual deliveries.
2. The time involved for volume reporting of gross & net volume by species is longer than estimated.
3. Possibility to eliminate reporting gross volume by species if not needed by BLM
4. Cutouts of sales should be provided to cruisers to check the accuracy of the original cruise data.

In Response to the comments, the BLM uses removals in its discussions with the Small Business Administration to determine sale allocations for small businesses. The BLM uses gross and net volume in its estimations of product volume and value for the purposes improving its appraisals. Other respondents indicated that the time for reporting is generally appropriate but recognizes that some sales might take longer, especially where multiple utilization centers are receiving federal timber. Finally, the BLM has options for checking the accuracy of its timber cruises including felling and bucking of timber prior to sale and cruisers regularly examine felled to look for hidden defects and other factors affecting timber volume and grade.

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

We do not provide payments or gifts to the respondents.

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

We provide no assurance of confidentiality.

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 do not require respondents to answer 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.**

Table 12-1, below, shows the BLM’s estimate of the hourly cost burdens for providing the required information. We estimate the hourly cost burdens for respondents using Bureau of Labor Statistics [May 2022 National Occupational Employment and Wage Estimates](#). As shown below in Tables 12-1 we multiplied the mean hourly wage for each occupational code by 1.4 to account for benefits in accordance Bureau of Labor (BLS) News Release [USDL-23-2567](#), Employer Costs for Employee Compensation— September 2023.

Table 12-1: Hourly Cost Calculation for Forms 5450-17, 5460-15, and 5460-17

Position and BLS Occupation Code	Mean Hourly Wage	Benefits Multiplier	Hourly Rate with Benefits
Purchasing Manager, 11-3061	\$67.62	1.4	\$94.67

Hour and cost burdens to respondents include time spent for researching, preparing, and submitting information. Table 12-2, below, shows our estimates of the annual hour and hour-related cost burdens.

The frequency of response for each of the forms is “on occasion,” and is based upon the cost for each individual timber contract a purchaser is awarded, which may run for a few months or up to four years. The annual rate is entirely dependent on the number of contracts the BLM issues. The BLM provides the timber purchaser a copy of the forms at the beginning of the contract term and notifies the purchaser that the information is required at the end of the contract period. The forms use the Purchasing Manager hourly wage in the cost estimate. The burden estimates are based on the BLM’s experience with administering this program.

Table 12-2: Estimates of Annual Hour and Hourly Cost Burdens

Information Collection	Estimated Respondents	Frequency	Estimated Annual Responses	Estimated Average Response Time (hours)	Estimated Annual Burden Hours	Hourly Rate	\$ Value of Annual Burden Hours
Export Determination, 43 CFR 5424.1 (Form 5450-17)	100	On occasion	100	1	100	\$94.67	\$9,467
Log Scale and Disposition of Timber Removed Report (Form 5460-15)	100	On occasion	100	1	100	\$94.67	\$9,467
Totals:	200	----	200	----	200	----	\$18,934

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form**

processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There is no non-hour burden estimate associated with this information collection. Applicants incur no annual capital or start-up costs, no recurring annual costs to prepare or respond to the information collection, and no fees.

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.

Table 14-1, below, shows the BLM’s estimate of the hourly cost burdens to the Federal government. To calculate salary costs, we used Office of Personnel Management 2024 Salary Table [Pay & Leave : Salaries & Wages - OPM.gov](https://www.opm.gov/policy-data-oversight/salaries-and-wages/) to obtain the most up-to-date wages for staff. The benefits multiplier of 1.6 is implied by information at <https://www.bls.gov/news.release/pdf/eccec.pdf>.

The estimated processing time is based on the BLM’s experience and includes comparisons of the collected data with a review of BLM’s contract-activity monitoring reports including the transportation and disposition of logs. The estimated hourly wage with benefits is shown at Table 14-1, below. Table 14-2, below, shows the annualized Federal costs for each aspect of the collection.

Table 14-1: Weighted Hourly Cost Calculations

Activity	Grade/ Step	Hourly Rate	Benefits Multiplier	Fully Burdened Rates	% of Time on Collection	Weighted Hourly Cost
Forms processing	GS-11/05	\$39.40	1.6	\$63.04	100%	\$63.04

Table 14-2: Estimated Annual Cost to the Government

Information Collection	Number of Responses	Hours Per Response	Hourly Cost	Total Cost
Export Determination, 43 CFR 5424.1 (Form 5450-17)	100	1	\$63.04	\$6,304
Log Scale and Disposition of Timber Removed Report (Form 5460-15)	100	1	\$63.04	\$6,304
Totals:	200	----	----	\$12,608

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

There are no program changes or adjustments requested.

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.

We have no plans to publish the information in this collection.

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

We will display the expiration date of the OMB approval on the relevant forms. Additionally, the OMB control number and expiration date available at www.reginfo.gov.

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 requirements listed in 5 C.F.R. 1320.9.

###