

**2024 SUPPORTING STATEMENT
PAPERWORK REDUCTION ACT SUBMISSION
RURAL ENERGY FOR AMERICA PROGRAM (7 CFR PART 4280)
OMB No. 0570-0067**

A. Justification

1. Explain the circumstances that make the collection of information necessary.

The Rural Business-Cooperative Service (RBCS or the Agency), a Rural Development (RD) agency of the United States Department of Agriculture (USDA), administers the Rural Energy for America program (REAP). The REAP program helps agricultural producers and rural small business reduce energy cost and consumption, develop new income streams, and help meet the nation's critical energy needs. The REAP program is authorized under [7 U.S.C. 8107](#) and is implemented by [7 CFR part 4280 subpart B](#) (grants) and [7 CFR part 5001](#) (guaranteed loans). The Inflation Reduction Act (IRA) of 2022 provides additional authorities for REAP [Public Law 117-169 section 22002](#). Subtitle C, Section 2202 of the IRA authorized the REAP Technical Assistance Grant (TAG) program.

The REAP program requires the Secretary of Agriculture to provide grants and/or loan guarantees for several types of projects as follows:

- **REAP Renewable Energy Systems (RES) & Energy Efficiency Improvement (EEI):** Grants and grants and loan guarantees (combined funding) to agricultural producers and rural small businesses to purchase renewable energy systems (RES) and make energy efficiency improvements (EEI).
- **REAP Energy Audits (EA) & Renewable Energy Development Assistance (REDA):** Grants to eligible entities to provide energy audits (EA) and renewable energy development assistance (REDA) to enable agricultural producers and rural small businesses to become more energy efficient and to use renewable energy technologies and resources. Entities eligible to receive grants under this program are State, tribal and local governments; land-grant colleges and universities or other institutions of higher learning; rural electric cooperatives; public power entities; Resource Conservation and Development Councils and instrumentalities of local, state, and federal governments. These grant funds may be used to conduct and promote energy audits; provide recommendations and information on how to improve the energy efficiency of the operations of the agricultural producers and rural small businesses; and provide recommendations and information on how to use renewable energy technologies and resources in the operations. No more than five (5) percent of the grant can be used for administrative purposes. Agricultural producers and rural small businesses for which a grantee is conducting an energy audit must pay at least 25 percent of the cost of the energy audit.
- **REAP Technical Assistance (TAG):** Grants to eligible applicants to provide technical assistance to Agricultural Producers and Rural Small Businesses applying to REAP, with priority for applications assisting at least two or more of the following types of REAP Applicants: (a) Agricultural Producers, (b) REAP applicants pursuing projects located in disadvantaged or distressed communities, (c) Tribal entities, (d) REAP Applicants

pursuing projects using Underutilized Technologies, and (e) REAP Applicants pursuing projects under \$20,000. The entities eligible are the same as for EA/REDA grants. REAP TAG funds can be used for a wide variety of activities including recruitment of Renewable Energy or energy efficiency projects, identification of electrical engineering services, preparation of REAP applications for Agency financial assistance, as well as preparing reports and assessments necessary to request financial assistance. Contracted services are allowable. All activities must be directly related to providing technical assistance to Agricultural Producers or Rural Small Businesses to apply for assistance under REAP. Eligible activities include but are not limited to:

- Assisting Agricultural Producers or Rural Small Businesses to apply for assistance under REAP for Energy Efficiency Improvements, or Renewable Energy Systems.
- Providing information on how to improve the energy efficiency of the operations and to use Renewable Energy technologies and resources in their operations.
- Conducting and promoting Energy Assessments and audits as defined in [7 CFR 4280.103](#).
- Preparing a technical report in accordance with [7 CFR 4280.110\(g\)](#).
- Assisting with filing for System Award Management (SAM) and Unique Entity Identifier (UEI) registrations.
- Assisting with completing a REAP grant application in accordance with [7 CFR 4280.116](#).
- Assisting with planning construction and development in accordance with [7 CFR 4280.125](#).
- Assisting with completion of environmental reports and/or documentation required for submittal of applications.

This package is a three-year renewal/reinstatement with changes for the burden associated with all the REAP grant programs listed above. The burden associated with the REAP guarantee loan(s) is covered under the One RD Guaranteed Loan program Paperwork Reduction Act (PRA) package (OMB No. 0572-0155).

2. Explain how, by whom, and for what purpose the information is to be used.

Agricultural producers and rural small businesses that wish to apply for a RES/EEI, EA, or TAG grant will have to submit applications with specified forms or project proposal with specified information, certifications, and agreements to the Agency. This information will be used to determine applicant eligibility, project eligibility and technical merit, ensure that grantees operate on a sound basis and use funds for authorized purposes. The reporting and recordkeeping burdens are as follows:

REPORTING REQUIREMENTS – NO FORMS

Other Requirements:

Reviews and appeals (RES/EEI, EA/REDA). The applicant, borrower, lender, or holder may

seek a review or appeal any adverse Agency decision. Appeals are handled in accordance with [7 CFR 4280.105](#).

Discrimination Complaints (RES/EEI, EA/REDA). Persons or a specific class of persons whom believe they have been discriminated against may file a complaint with USDA, Office of Adjudication.

Application:

Application Withdrawal (RES/EEI, EA/REDA). The applicant, borrower, or lender during the period between the submission of the application and the execution of award documents, may request to withdraw their application in writing.

System for Awards Management (SAM) and Unique Entity Identifier (UEI) (RES/EEI, EA/REDA, TAG). Unless exempt under [2 CFR 25.110](#), the grantee must be registered in the SAM prior to submitting an application or plan, maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by the Agency, and provide its UEI number in each application it submits to the Agency. In addition, the grantee must report to the Agency the number and expiration date of the applicant's SAM Commercial and Government Entity (CAGE) number. Once the applicant has received the SAMs/UEI number, the applicant is requested to provide the information as part of the application.

Feasibility Study (RES Only). A feasibility study prepared by a qualified consultant may be required for RES projects based on the scope of the project to the applicant's overall operations, including new facilities with significant impacts to an existing operation, or when the application information or technical report does not provide sufficient documentation and analysis of the project's engineering, technical, financial, or market feasibility, or the economic viability of the project including feedstock or off-take agreements, that in total can determine a basis for a successful project. The business-level feasibility study must include an evaluation of the market, financial, economic, technical, and management feasibility of the proposed project. This study must also include an opinion and a recommendation by the qualified consultant. Energy efficiency improvement projects do not require a feasibility study to be completed.

Data to Assist in Assessment of USDA Compliance with Civil Rights Law (EA/REDA). The applicant has the option to provide demographic information that includes identifying the ethnicity, race and gender of the applicant. Note that this information is collected for RES/EEI projects on the appropriate Application Forms (Forms RD 4280-3A, 3B, and 3C).

Certification that the Applicant is a legal entity in good standing (EA/REDA, TAG). The applicant must certify that it is a legal entity in good standing (as applicable) and operating in accordance with the laws of the State(s) or Tribe where the Applicant has a place of business.

Association or Relationship with Rural Development Employees Certification (EA/REDA, TAG). The applicant must identify whether or not they have a known relationship or association with an Agency employee. If there is a known relationship, the applicant must identify each Agency employee with whom the applicant has a known relationship. Note that this information is collected for RES/EEI projects on the appropriate Application Forms (Forms RD 4280-3A, 3B, and 3C).

Scope of Work (EA/REDA, TAG). For EA/REDA projects a proposed scope of work should include the items listed at [7 CFR 4280.153\(b\)\(6\)](#).

For TAG projects a proposed scope of work should include the following items:

- a. A brief summary, including a project title, describing the proposed project;
- b. Goals of the proposed project;
- c. Geographic scope or service area of the proposed project and the method and rationale used to select the service area;
- d. Identification of the specific needs for the service area and the target audience to be served and a description of the types of technical assistance and proposed services to be provided. It should state the number of agricultural producers and/or rural small businesses to be served and identified, including name and contact information, if available, as well as the method and rationale used to select them;
- e. Timeline describing the proposed tasks to be accomplished and the schedule for implementation of each task. This should include whether organizational staff, consultants, or contractors will be used to perform each task. If a project is located in multiple States, this section should demonstrate that resources must be sufficient to complete all projects;
- f. Marketing strategies to include a discussion on how the Applicant will be marketing and providing outreach activities to the proposed service area ensuring that agricultural producers and/or rural small businesses are served;
- g. Details on the Applicant's experience in completing similar activities to include the number of similar projects and the number of years they have been providing similar service. Should include personnel on staff or to be contracted to provide the service and their experience with similar projects. This section should also provide commentary on if the Applicant has any existing programs that can demonstrate the achievement of energy savings or energy generation with the agricultural producers and/or rural small businesses the Applicant has served. If the Applicant has received one or more accolades within the last 5 years in recognition of its renewable energy, energy savings, or energy-based technical assistance, a description of the achievement should be provided.
- h. Latest financial information to show the Applicant's financial viability to carry out the proposed work. A current audit report is preferred; however, Applicants not subject to [2 CFR 200, subpart F](#) may submit a balance sheet, income statement, and statement of cash flows in lieu of an audit report;
- i. Itemized budget including contracted services and itemized staff salaries and benefits; and estimated breakdown of costs (direct and indirect) including those to be funded by

the Applicant as well as other sources. Sufficient detail should be provided to permit the approval official to determine reasonableness, applicability, and allowability.

- j. Summary of the Applicant's capacity to perform the proposed technical assistance activities including a summary of all other programs and activities the Applicant will also perform during the proposed project performance period.
- k. Documentation on each of the scoring criteria listed in the NOFO.

Environmental Documentation (RES/EEI). The applicant must submit environmental documentation in accordance with [7 CFR part 1970](#).

Technical Report (RES/EEI). For projects less than \$80,000, applicants must submit a technical report that meets the requirements of [7 CFR 4280.120\(b\)\(3\)](#) or [\(b\)\(4\)](#). For projects that cost between \$80,000 and \$200,000, applicants must submit a technical report that meets the requirements of [7 CFR 4280.119\(b\)\(4\)](#). For projects over \$200,000, applicants must submit a technical report that meets the requirements of [7 CFR 4280.118\(d\)](#).

Energy Assessment/Audit (EEI Only). For projects less than \$80,000, applicants must submit an energy assessment/audit that meets the requirements of [7 CFR 4280.120\(b\)\(3\)\(iii\)](#). For projects that cost between \$80,000 and \$200,000, applicants must submit an energy assessment/audit that meets the requirements of [7 CFR 4280.119\(b\)\(4\)](#). For projects over \$200,000, applicants must submit an energy assessment/audit that meets the requirements of [7 CFR 4280.118\(d\)](#).

Project Self Score (RES/EEI). Applicants have the option to submit a self-score of the project using the evaluation criteria in 7 CFR 4280.121, including appropriate calculations and attached documentation, or specific cross-references to information elsewhere in the application. Since this information is optional, it is not part of application forms (Forms RD 4280-3A, B, C).

Awardee Documents and Certifications:

Technical Report Modifications (RES/EEI). If a technical report is modified the applicant is required to submit that modification to the Agency for review and concurrence. See [7 CFR 4280.110\(g\)\(2\)](#).

Time Extensions (RES/EEI). The grantee has two years to expend grant funds from the date the Financial Assistance Agreement is signed by the Agency. The grantee can submit a no-cost extension request no later than 30 days prior to the grant period expiration date that explains any extenuating circumstances for the delay and why an approval is in the government's best interest. See [7 CFR 4280.110\(h\)\(1\)](#)

Insurance (RES/EEI, EA/REDA). For RES/EEI projects applicants must provide insurance coverage in accordance with the requirements provided by [7 CFR 4280.123\(b\)](#). For EA/REDA projects applicants must provide insurance coverage in accordance with requirements provided by [7 CFR 4280.158\(a\)](#).

Evidence of Matching Funds (RES/EEI, EA/REDA). Either with the application or before the financial assistance agreement is executed, the applicant must provide written commitment of matching funds from each source.

SAM Renewal (RES/EEI, EA/REDA, TAG). Each applicant (unless an exception, as outlined in 2 CFR 25.110(a) through (d), is approved by the Agency) is required to maintain an active SAM registration with current information at all times during which it has an active Federal award. The Agency uses the SAM site to ensure continued eligibility to receive Federal financial assistance.

Power Purchase Agreement (RES Only). Where applicable and unless otherwise approved by the Agency, grantees are required to provide the Agency with a copy of the executed power purchase agreement within 12 months from the date the financial assistance agreement is executed. This information is requested in the Letter of Conditions as applicable, sent to awarded applicants prior to obligation of funds.

Programmatic Changes (RES/EEI, EA/REDA). The grantee must obtain prior Agency approval for any change to the costs, scope, or contractor or vendor of the approved project. Failure to obtain prior approval of any such change could result in suspension, termination, and recovery of grant funds. Requests for changes must be submitted in writing to the Agency. This information is noted in the Letter of Conditions sent to awarded applicants prior to obligation of funds.

Certification for Contracts, Grants, and Loans (Regarding Lobbying) (RES/EEI). For projects over \$100,000, all applicants must certify in writing that they have not committed any lobbying with a Member of Congress related to any federally awarded contracts, grants, and/or loans. The certification should be executed by the applicant's authorized representative. If any lobbying has occurred, additional disclosure may be required. RD Instruction 1940-Q, Exhibit A-1 provides example certification language that maybe provided to the applicant.

Grantee statement for accepting contractor's work (RES/EEI). Upon completion of a project with total project costs of less than \$200,000, the grantee must submit a copy of the contractor's certification of final completion and a statement that the grantee accepts the work completed. For grant projects \$200,000 or greater, the grantee is required to utilize different contracting requirements per [7 CFR 4280.125](#)

Contractor Certification of Final Completion (RES/EEI). Upon completion of the project, the grantee must submit to the Agency a copy of the contractor's certification of final completion for the project and a statement that the grantee accepts the work completed. For RES, the system must be operating at the steady state operating level described in the technical report for a period of not less than 30 days, unless this requirement is modified by the Agency, prior to disbursement of funds.

Surety (RES/EEI). The Agency will require surety on any contract for procurement exceeding \$100,000, covering both performance and payment, except as provided for in paragraph (a)(3)

(iv) of the regulation. For contracts of lesser amounts, the grantee may require surety. Surety in the amount of 100% of the contract cost may be provided using either, a bank letter, or performance bonds and payment bonds. When surety is not provided, contractors must furnish evidence of payment in full for all materials, labor, and any other items procured under the contract in an Agency-approved form.

Technical Services (RES/EEI). All RES and EEI projects with total project costs greater than \$1,000,000, unless the project is not complex and State or Tribal law does not require, the design, installation monitoring, testing prior to commercial operation, and project completion certification should be completed by a licensed professional engineer (PE) or team of licensed PEs. Licensed PEs may be “in-house” PEs or contracted PEs. It is also required that any contract for design services must be subject to Agency concurrence and engineers must be licensed in the State where the project is to be constructed.

Construction Planning and Performing Development (RES/EEI). All applicant’s awarded funds will utilize construction planning and performing development requirements outlined in [7 CFR 4280.125](#), as applicable. For projects with project costs over \$200,000, all construction documents, including design documents, engineering agreements, construction contracts, and pay requests need to be reviewed and concurred with by Agency personnel. Unless the applicant plans to request a lump sum reimbursement at the end of construction and 30 days of successful operation, regardless of total project costs, final plans and specification must be reviewed by the Agency and approved prior to the start of construction. Owner of the project approves and monitors construction until project completion. Owners are allowed to perform project development work provided they have experience with the construction activity being performed.

Inspection (RES/EEI). The applicant is required to allow the Agency to schedule and conduct periodic inspections of the project that grant/loan guarantee funds were utilized during the project’s life.

Reporting & Other:

Transfer of Ownership (RES/EEI, EA/REDA). After the construction of the project, the grantee may request in writing a transfer of the financial assistance agreement to another entity. Subject to Agency approval provided in writing, the financial assistance agreement may be transferred to another entity under certain circumstances.

Disposition/Biannual Check of Acquired Property (RES/EEI). Grantees must abide by the disposition requirements outlined in Departmental regulations.

Recordkeeping (RES/EEI, EA/REDA) – Applicable to all REAP grant programs, grantees are required to keep records in accordance with Department regulations. This includes, but is not limited to, records that identify adequately the source and application of funds for grant-supporting activities, together with documentation to support the records. Those records shall

contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income. In addition, the grantee will retain financial records, supporting documents, statistical records, and all other records pertinent to the grant for a period of at least 3 years after grant closing, except that the records shall be retained beyond the 3-year period if audit findings have not been resolved or if directed by the United States. Microfilm copies may be substituted in lieu of original records. The Agency and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the grantee which are pertinent to the specific grant program for the purpose of making audit, examination, excerpts, and transcripts.

Audit Requirement (RES/EEI, EA/REDA) - For the years in which grant funds are received, the grantee may be required to submit an audit in accordance with [2 CFR part 200](#).

Project Performance Report - Semiannual (RES/EEI, EA/REDA, TAG). Grantees will be required to submit a project performance report on a semiannual basis. Reports for RES/EEI should be prepared in accordance with [7 CFR 4280.124\(i\)\(2\)](#) and for EA/REDA in accordance with [7 CFR 4280.159\(b\)](#).

Reports for TAG should include the following:

- a. A description of the activities that the funds reflected in the financial status report were used for, including the number of recipients assisted, and the type of assistance provided, a list of recipients with each recipient's North American Industry Classification System (NAICS) code, the location of each recipient, and renewable energy technology that would be used or energy efficiency improvement if the projects were implemented. The number of and identify of the recipients who submitted REAP grant applications and the recipients receiving REAP grant awards (noting those with distressed or disadvantaged community status and underutilized technology status) should be included.
- b. A comparison of actual accomplishments to the objectives for that period.
- c. Reasons why established objectives were not met, if applicable.
- d. Problems, delays, or adverse conditions which will affect attainment of overall program objectives, prevent meeting time schedules or objectives, or preclude the attainment of objectives during established time periods. This disclosure shall be accomplished by a statement of the action taken or planned to resolve the situation.
- e. Objectives and timetables established for the next reporting period.
- f. A demographic summary of the of the agricultural producers and business owners receiving the technical assistance.

Final Project Performance (RES/EEI, EA/REDA, TAG). The final project development report must be submitted 90 days after project completion. For RES/EEI projects the reports should include information in accordance with [7 CFR 4280.124\(i\)\(2\)](#) and for EA/REDA in accordance with [7 CFR 4280.159\(c\)](#).

Annual outcome project performance report (TAG). Reports for TAG must be submitted one year after project completion. Awardees must provide a report describing their outcomes as related to REAP TAG Program goals as identified in their Financial Assistance Agreement. The final report must address the following:

- a. The most challenging or unexpected aspects of the grant.
- b. What advice they would give to other organizations applying for this grant.
- c. The strengths and limitations of this grant?
- d. If they had the opportunity, what would they have done differently?
- e. Are there any post-grant plans for this Project?

REPORTING REQUIREMENTS – FORMS APPROVED WITH THIS DOCKET

Application for Renewable Energy Systems and Energy Efficiency Improvement Projects, Total Project Cost of \$80,000 or Less (Form RD 4280-3A) (RES/EEI). This form collects all required information needed for a complete application for projects with total project costs of \$80,000 or less. Detailed information requested in this form is demographics, SAM Registration, UEI, type of applicant, applicant description, project information, technical requirements, environmental benefits, commitment of funds, certifications and identified attachments.

Application for Renewable Energy Systems and Energy Efficiency Improvement Projects, Total Project Cost of Less Than \$200,000, but More Than \$80,000 (Form RD 4280-3B) (RES/EEI). This form collects all required information needed for a complete application for projects with total project costs of less than \$200,000, but more than \$80,000. Detailed information requested in this form is demographics, SAM Registration, UEI, type of applicant, applicant description, project information, technical requirements, environmental benefits, commitment of funds, certifications and identified attachments.

Application for Renewable Energy Systems and Energy Efficiency Improvement Projects, Total Project Cost of \$200,000 and Greater (Form RD 4280-3C) (RES/EEI). This form collects all required information needed for a complete application for projects with total project costs of \$200,000 and greater. Detailed information requested in this form is demographics, SAM Registration, UEI, type of applicant, applicant description, financial information, project information, technical requirements, environmental benefits, commitment of funds, certifications and identified attachments.

Form RD 4280-3C includes collecting financial information on the total operation of the agricultural producer/rural small business and all entity(ies) it controls or is controlled by. The applicant must provide historical financial statements prepared in accordance with accounting practices acceptable to the Agency for the past 3 years, including income statements and balance sheets. Applicant must provide a current balance sheet and income statement dated within 90 days of the application. In addition, applicants must provide pro forma balance sheet at startup of the agricultural producer's/rural small business' business that reflects the use of the loan proceeds or grant award; and 3 additional years, indicating the necessary start-up capital, operating capital, and short-term credit; and projected cash flow and income statements for 3 years supported by a list of assumptions showing the basis for the projections.

Request for Obligation of Funds (Form 1940-1) (RES/EEI, EA/REDA, TAG). This form is completed by the grantee for each note or commitment requiring an obligation of funds.

Rural Business - Cooperative Service Financial Assistance Agreement (Form RD 4280-2) (RES/EEI, EA/REDA, TAG). RBCS and the grantee at grant closing execute the financial assistance agreement. This document outlines the responsibilities of the grantee. This document is necessary to ensure grant funds are used only for the purposes and activities specifically approved.

Annual Outcome Project Performance Certification (Form RD 4280-3D) (RES/EEI, EA/REDA). This form used for REAP loans and grants a full year after the project is complete to report savings, generation and jobs.

Once the project has been constructed, the grantee must provide the Agency periodic reports. For RES projects, commencing the first full calendar year following the year in which project construction was completed and continuing for 3 full years, the grantee must certify that either the system has for the past year performed at the steady state operating level described in the technical report of the filed REAP application, or has not performed as described. If the system has not performed, the grantee must describe the circumstances which have occurred that have affected system performance and energy generation, as well as provide the actual annual energy production in BTUs, kilowatt-hours, or similar energy equivalents. Direct jobs created or saved as a result of REAP funding will also be verified.

For EEI projects, commencing the first full calendar year following the year in which project construction was completed and continuing for 2 full years, the grantee must certify that the EEI as outlined in the energy audit/assessment have either been utilized at or above the projected operating levels, or have not been utilized at the projected operating levels. If the system has not performed, the grantee must describe the circumstances which have occurred that have affected system performance and the amount of energy saved, as well as provide actual annual savings from the energy efficiency improvement in the calendar year. Direct jobs created or saved as a result of REAP funding will also be verified.

REPORTING REQUIREMENTS - FORMS APPROVED UNDER OTHER OMB NUMBERS

The responses and hours associated with each response on the following forms have not been included in the spreadsheet that details the burden numbers because the burden for these are contained in other packages.

Application:

Application for Federal Assistance (SF-424, OMB No. 4040-0004) (RES/EEI, EA/REDA, TAG). This is the standard application required to be executed for all Federal grant programs. It is the required fact sheet for applications for Federal grant funding.

Budget Information – Non Construction Programs (SF-424A, OMB No. 4040-0006) (EA/REDA, TAG). This is the standard for used by applicants to collect the budget information for the project.

Budget Information – Construction Programs (SF-424C, OMB No. 4040-0008) (RES/EEI). This is the standard form used by applicants to break down the line item budget costs in detail.

Assurances – Construction Programs (SF-424D, OMB No. 4040-0009) (RES/EEI). This is the standard form signed by applicants to provide assurances that they will meet certain requirements of OMB Circular A-102.

Awardee Documents and Certifications:

Compliance Statement (RD 400-6, OMB No. 0575-0201, 0189) (RES/EEI). This form, submitted by the grantee, is used to reveal whether the bidder or prospective Contractor is in default with respect to Compliance reports required under any previously covered contract or subject to the “Affirmative Action Program” and to provide for certification regarding the maintenance or use of non- segregated facilities.

Certificate of Contractor's Release (RD 1924-9, OMB No. 0575-0042) (RES/EEI). This form, submitted by the grantee, is used by contractors to certify that payment has been made in full for all material and labor used in the performance of this contract and to release the borrower from any claims which might arise by virtue of the contract.

Release by Claimants (RD 1924-10, OMB No. 0575-0189) (RES/EEI). This form is prepared by the grantee/borrower in connection with work performed under the contract method when a surety bond is not used.

Letter of Intent to Meet Conditions (RD 1942-46, OMB No. 0570-0021, 0061, 0062; 0572-0137; 0575-0015) (RES/EEI, EA/REDA, TAG). This form indicates a grantee’s acceptance of conditions found in the letter of conditions.

Disclosure of Lobbying Activities (SF-LLL, OMB No. 4040-0013) (RES/EEI, EA/REDA, TAG). Grantees who are awarded grants over \$100,000 and/or lobby are required to complete this form.

Assurance Agreement (RD Form 400-4, OMB No. 0575-0201, 0189) (RES/EEI, EA/REDA, TAG). Each grantee is required to complete this form to comply with Civil Rights Acts and laws.

Federal Financial Report (SF-425, OMB No. 4040-0014) (RES/EEI, EA/REDA, TAG). This is the standard form used by the grantee to confirm that funds are being spent in conformity with the budget and work plan.

Outlay and Request for Reimbursement for Construction Programs (SF-271, OMB No. 4040-0011) (RES/EEI). This is the standard form used by the grantee to request advances or reimbursement of cash outlays.

Request for Advance or Reimbursement (SF-270, OMB No. 4040-0012) (EA/REDA, TAG). This form is submitted by the grantee no more frequently than monthly to request advance or reimbursement of grant funds obligated under the grant agreement.

Equal Opportunity Agreement (Form RD 400-1, OMB No. 0575-0201, 0189) (TAG). Each grantee is required to complete this form to comply with Equal Opportunity requirements.

3. Describe any consideration of the use of improved information technology to reduce burden any technical or legal obstacles to reducing burden.

The Agency strongly encourages applicants to submit applications electronically using www.Grants.gov or other electronic fashion Applicants who receive funding will be encouraged, but not required, to submit, as applicable, performance reports, and the annual status reports electronically. The Agency will not totally require submission by electronic methods because some applicants may not have the technological expertise for electronic submission or may not have the equipment necessary for high technological information gathering.

4. Describe efforts to identify duplication.

The Agency is utilizing existing forms used in the current RD grant which includes the REAP program. If similar information is found to be available from another Federal agency, every effort is made to utilize that information as is or in an appropriately modified form for this program. In addition, only one application and set of forms and certifications is being requested. There will be no similar or existing information that could be submitted; therefore, there will be no duplication.

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

The information collection required for this initiative places little or nominal burden on small entities beyond that performed in normal business practice. The Agency is using industry-standardized data elements and documents, supplementing them with Government-wide forms that are familiar to many applicants. The Agency estimates 70% of applicants are small businesses.

6. Describe the consequences to Federal program or policy activities if the collection were conducted less frequently.

The information collected under this program is the minimum necessary to conform to the requirements of the program regulations established by law. Information is collected when needed and cannot be collected less frequently and still meets the requirements of the programs. Failure to collect proper information could result in improper determinations of eligibility or improper use of funds.

7. Explain any special circumstances that require the collection of information to be conducted in a manner:

- a. Requiring respondents to report information more than quarterly. There are no information requirements that require specific reporting on more than a quarterly basis.
- b. Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it. There are no information requirements that require specific reporting in less than 30 days.
- c. Requiring respondents to submit more than an original and two copies of any document. There are no information requirements that require more than an original and two copies.
- d. Requiring respondents to retain records for more than 3 years. Retention of financial records, supporting documents, statistical records pertinent to the grant is required for 3 years after final grant disbursement, except when an audit finds the grantee in violation of the grant terms and conditions.
- e. Not using statistical sampling. There are no such requirements.
- f. Requiring use of statistical data classification that has not been reviewed and approved by Office of Management and Budget (OMB). There are no such requirements.
- g. Requiring a pledge of confidentiality that is not supported by authority 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. There are no such requirements.

- h. 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 permissible by law. There are no such requirements.

8. Comments on Agency's notice in the Federal Register and efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of the instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

RBCS published a notice requesting comment on the extension of the previously approved information collection for the REAP program (see 89 FR 47895, June 4, 2024). The 60-day comment period closed August 5, 2024 and there was one comment during the comment period that did not pertain to the information collection package.

In addition, the Agency contacted the following individuals at organizations that have participated in the program in the past to obtain their feedback on the amount of time needed to prepare a proposal and performance reports.

Nord Farms

- 2104 Charolais Lane, Bloomington, IL
- Ronald Nord, Proprietor, 309-275-0409
- Completed the application process ok and used to doing paperwork.

Hornstra Farm Dairy, Inc.

- 246 Prospect St, Norwell, MA
- John Hornstra, Owner, 781-749-1222
- The application process was easy.

Land of Sky Regional Council

- 339 New Leicester Highway, Suite 140, Asheville, NC
- Terry Albrecht, Director of Waste Reduction Partners, 828-251-6622, ext. 1163
- Grants.gov is a decent process. The process is pretty straightforward, and the overall paperwork burden is reasonable. The reporting requirements are well structured.

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

No payments or gifts will be provided to respondents, including no remuneration of contractors or grantees.

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

No assurance of confidentiality is provided to respondents for the information required.

The Agency published a Privacy Act of 1974: System of Records in the *Federal Register* on September 6, 2024 ([89 FR 72820](#)).

11. Provide additional justification for any question of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private.

The information collected does not contain any questions of a sensitive nature such as sexual behavior, religious beliefs, or other matters commonly considered private.

12. Provide estimates of the hour burden of the collection of information.

Table 12.1, Total Cost of Burden, shown below summarizes the estimated average annual burden associated with the programs covered within this package. The attached Burden Hours workbook provides an Information Collection Burden Hours Worksheet for each program that details the estimates.

Table 12.1 Total Cost of Burden

	RES/EEI			EA/ REDA	TAG	Total
	<80	80><200	>200			
Total Respondents (Applicants)	1,054	1,326	1,818	28	389	4,615
Total Awards (Awardees)	966	1,215	1,666	22	116	3,985
Annual Responses	18,688	23,456	38,047	719	1,968	82,878
Total Hours	51,143	60,825	139,165	964	6,546	258,643
Cost per Hours	\$74.03					
Total Annual Cost	\$3,786,116	\$4,502,875	\$10,302,385	\$71,365	\$484,600	\$19,147,341

The attached Burden Hours workbook provides an Estimated Professional Wage Rate worksheet that shows the detailed calculation for the weighted wage rate of \$74.03 cost per hour above. The U.S. Department of Labor, Bureau of Labor Statistics, Occupational Employment and Wage Statistics, May 2023 Occupation Profiles ([List of SOC Occupations \(bls.gov\)](#)) was used to obtain the Mean Hourly Wage for each position identified. Table 12.2 provides the two (2) positions identified for this calculation along with each Occupation Codes and Mean Hourly Wage. The benefits for each position was calculated by using the total benefits percentage of 29.7% for private industry workers from the U.S. Department of Labor, Bureau of Labor Statistics, Economic News Release, Employer Costs for Employee Compensation – June 2024 ([Employer Costs for Employee Compensation - 2024 Q01 Results \(bls.gov\)](#)).

Table 12.2 – Mean Hourly Rates per Position

Profession	Bureau of Labor Occupation Code	Mean Wage
Farmers, Ranchers, and Other Agricultural Managers	11-9013	\$43.35
Management Occupations for Rural Small Business Owners	11-0000	\$66.23

13. Provide estimates of annualized cost to the respondents.

There are no capital and start-up costs or operations and maintenance costs associated with this collection.

14. Provide estimates of annualized cost to the Federal Government.

The estimated Annualized Cost to the Federal Government is \$8,929,935 which is summarized in Table 14.1 below. The attached Burden Hours workbook provides an Annualized Cost to the Federal Government worksheet that details the following:

- Four (4) Review Types
- Staff Positions for each Review Type.
- Calculated Wages Rates for each Staff Position.
- Number of hours required for each Staff Position.
- Total Cost for each Staff Position, Review Type and to the Federal Government.

Table 14.1 Total Cost to the Federal Government

Review Type	RES/EEI			EA/ REDA	TAG	Total
	<80	80><200	>200			
Other Requirements	\$628,907	\$791,206	\$1,325,156	\$15,210	\$0	\$2,760,479
Application	\$628,907	\$1,127,336	\$2,266,766	\$11,154	\$258,483	\$4,292,646
Awardee Documents and Certifications	\$155,181	\$195,182	\$267,632	\$7,464	\$60,276	\$685,735
Reporting and Other	\$136,164	\$412,238	\$565,258	\$7,464	\$69,411	\$1,190,535
Total Cost to Federal Government	\$1,549,159	\$2,525,962	\$4,424,812	\$41,292	\$388,170	\$8,929,395

Table 14.2 below provides the staff positions used for the Review Types along with each Staff Positions General Schedule (GS) Grade, Step and Salary. The GS Salary was obtained by using Tables 2024-SL ([Pay & Leave : Salaries & Wages - OPM.gov](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/)) from the U.S. Office of Personnel Management (OPM), Policy, Pay & Leave, Salaries & Wages.

Table 14.2: Staff Positions and GS Salary

Staff Position	GS Grade	GS Step	GS Salary
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Program Director - State Office	13	5	\$120,218
Loan Specialist - State Office	12	5	\$100,926
State Environmental Coordinator - State Office	12	5	\$100,926
Loan Specialist – State Office	11	5	\$84,204

The Agency calculated the Hourly Rate by dividing the GS Salary by 52 weeks a year and then dividing that result by 40 hours per week. The benefits for each position was calculated by using the civilian position full fringe benefit cost factor of 36.25% from the Office of Management and Budget (OMB) Memorandum for the Heads of Executive Departments and Agencies (M-08-13) dated March 11, 2008 ([Memorandum for the Heads of Executive Departments and Agencies \(whitehouse.gov\)](http://www.whitehouse.gov)).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This a revision of a currently approved collection. The total number of respondents increased by 2,697 from 1,918 in the previous collection to 4,615 for this collection. The total burden hours for this collection are 258,643, an increase of 148,657 from the previous information collection package estimate (which was 109,986 burden hours). The total burden cost increased by \$3,015,448 from \$5,913,947 in the previous collection to \$8,929,395 for this collection. The increase in burden cost for this collection is due to the following:

- The RES/EEI program has seen an increase in applications due to one of the Agency’s key priorities for addressing climate change.
- The TAG program has been added to this information collection package.
- Adjustments to burden items to better represent what occurs with the programs.
- Updates to the professional wage rate to use the most current data.

It should be noted that the REAP (RES/EEI) guarantee loans burden was removed from this information collection package and is now covered under the One RD Guaranteed Loan program PRA package (OMB No. 0572-0155).

The total cost to the Federal Government increased by \$5,487,027 from \$3,442,368 in the previous collection to \$8,929,395. This increase is due to the increase review of applications for RES/EEI, adding the TAG program, adjustments to the salary rate calculation used.

16. For collection of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis, and publication.

Rural Development has no plans to publish information collected under the provisions of this program

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.

N/A

18. Explain each exception to the certification statement in identified in item 19 of OMB 83-I.

There are no exceptions to the certification.

B. Collection of Information Employing Statistical Methods.

This collection does not employ statistical methods.