

Department of Justice
Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
Information Collection Request (ICR)
OMB 1140-0073
Furnishing of Explosives Samples

SUPPORTING STATEMENT

A. JUSTIFICATION

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

ATF is responsible for enforcing Title XI of the Organized Crime Control Act of 1970 and implementing regulations in 27 CFR part 555. The statute requires that, in general, “Licensed manufacturers and licensed importers and persons who manufacture or import explosive materials or ammonium nitrate shall, when required by the [Director], furnish -- (A) samples of such explosive materials or ammonium nitrate; (B) information on chemical composition of these products; and (C) any other information the [Director] determines is relevant to the identification of the explosive materials or to identification of the ammonium nitrate.” This requirement is specified in 18 U.S.C. 843(i) and a similar provision is included in the implementing regulations at 27 CFR § 555.110.

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

ATF will request samples of explosive materials or ammonium nitrate when classification under 27 CFR 555.202 is needed. Such classification is essential for ATF to determine the proper storage under 27 CFR 555.203 for the explosive material or ammonium nitrate. Generally, ATF will accept explosives testing data from other sources (e.g. U.S. Department of Transportation-approved Laboratory) to make classifications under 27 CFR 555.202. However, when explosives testing or technical data is not available, ATF will need to obtain samples to ensure proper classification for storage purposes. The classification of the explosive material will dictate what explosives storage magazine type is needed pursuant to 27 CFR 555.203. Each type of magazine has different construction requirements, so it is vital that ATF properly classifies explosive materials for storage.

3. Describe whether, and to what extent, the information collection 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.

The respondent must furnish an actual sample to ATF, which does not lend itself to the use of information technology. The accompanying information should arrive with the sample, so the use of information technology for the information is also inapplicable.

4. Describe efforts to identify duplication.

This information is not duplicative and requires the submission of specific samples of explosive material and descriptive information about them from which to determine the appropriate storage. No other collection gathers this information.

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

This information collection does not have a significant impact on small entities.

6. Describe the consequence to federal programs 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.

ATF must be able to identify the explosive materials or the ammonium nitrate. If ATF is unable to obtain samples when other testing or technical data is not available, ATF will be unable to make an accurate classification for storage purposes. Also, without this information collection, individuals could manufacture or import dangerous materials.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with 5 CFR 1320.6.

This collection may require respondents to submit business proprietary information. All technical information received as part of a request under 27 CFR § 555.110 will be maintained electronically on ATF's secure servers that can only be accessed by employees who require access to make the classification. ATF will secure all explosive materials or ammonium nitrate samples in an explosives storage magazine that meets all of ATF's explosives storage requirements in 27 CFR, 555, subpart K – Storage, and that is located in a secure location at ATF's National Center for Explosives Training and Research.

8. If applicable, provide a copy, and identify the date and page number, of the agency's notice published in the *Federal Register*, as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.

The 60-Day Notice was published in the *Federal Register* on [xx/xx/xx] (XX FR XXXXX). The comment period ended on [xx/xx/xx]. ATF received no comments.

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

No payment or gift is associated with this information collection.

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

ATF has not assured respondents of confidentiality. However, the information being collected includes business proprietary information which qualifies as controlled unclassified information. The information is maintained and protected by ATF in system of records Justice/ATF-008, Regulatory Enforcement Record System. The samples of explosive materials or ammonium nitrate are kept in a secure location at the ATF laboratory.

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 information collection does not ask questions or require information of a sensitive nature.

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

ATF estimates that there are approximately 100 respondents who provide responses to this information collection request once per year. It takes each respondent approximately 30 minutes (0.5 hours) to submit the samples and required documentation. This estimate includes time to read any relevant materials, gather the samples, and prepare any necessary documentation. Therefore, the total annual burden hours associated with this information collection is 50 hours (100 respondents * 0.5 hours).

ATF bases the economic cost estimates on wage data for Explosives Workers, Ordnance Handling Experts, and Blasters for May 2023, as determined by the U.S. Department of Labor, Bureau of Labor Statistics. The Bureau of Labor Statistics determined the average hourly employer costs for employee compensation for civilian workers to be \$31.54. ATF also applied a load rate of 1.42 to account for benefit costs that accompany pay, per BLS. This results in an estimated total loaded wage rate of \$44.79 ($\$31.54 * 1.42$). Half an hour of labor ($\$44.79/\text{hour} * 0.5 \text{ hours}$) results in an estimate of approximately \$22.39 per respondent to provide the samples and accompanying information.

The total monetized value of time for all respondents is therefore \$2,239.5 (100 total hours * \$22.39 cost per response).

In addition, ATF estimates that it costs an average of \$50 to ship samples via DHL or Fedex. This results in a total shipping cost of \$5,000 (100 respondents * \$50).

Therefore, the shipping costs and monetized value of time result in a total cost to the public from this information collection of \$7,239.50. The table below illustrates these costs.

Table 1. Estimated annualized cost and hour burden

Activity	Total	Time per	Total	Hourly	Shipping	Monetized
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	annual responses	response	annual burden (hours)	rate*	cost per submission	value of respondent time
Collecting samples and information	100	0.50	50	\$44.79	--	\$2,239.50
Shipping samples	100	--	--	--	\$50	\$5,000.00
Unduplicated totals						\$7,239.50

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the information collection. (Do not include the cost of any hour burden shown in Items 12 and 14).

ATF estimates an additional cost to each respondent of \$20 for the cost of the explosive materials. The total cost of the materials is therefore \$2,000 (100 respondents * \$20). However, the regulations at 27 CFR § 555.110 provide for reimbursement of the cost of the materials. Therefore, this cost is reported as 0.

Table 2. Estimated costs

Activity	Number of respondents	Frequency	Cost per response	Amount reimbursed	Total annual cost
Materials	100	1	\$20	-\$20	\$0

14. Provide estimates of the annualized cost to the federal government.

As the regulations at 27 CFR § 555.110 provide for reimbursement of the cost of the materials, ATF estimates a cost to the federal government of \$20 for reimbursing each respondent the cost for their submitted explosive materials. The total cost of the materials is therefore \$2,000 (100 respondents * \$20).

Table. Estimated costs

Activity	Number of respondents	Frequency	Cost per response	Total annual cost
Materials	100	1	\$20	\$2,000

ATF estimates no additional costs to the federal government associated with this collection. This is due to the current staffing and administrative capacity already in place to complete any marginal processing required under this information collection, with long-term staffing capacity serving as a sunk cost.

15. Explain the reasons for any program changes or adjustments.

There are no program changes or adjustments associated with this collection.

16. For information collections whose results will be published, outline plans for tabulations and publication.

ATF will not publish the results of 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.

ATF intends to display the OMB expiration date for this information collection.

18. Explain each exception to the certification statement.

This information collection does not include any exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.