2026 Supporting Statement for OMB 0596-0182

Qualified Product List for Wildland Fire Chemicals

A. Justification

1. **Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Laws, Statutes, and Regulations

- Executive Order 12862 - Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government
- USDA FS Policy

The policy of the USDA Forest Service (USDA FS) is stated in Forest Service Handbook (FSH 5109.16, chapters zero code and 20), "Use only evaluated, approved and qualified fire chemicals." This policy requires the Agency to evaluate all wildland fire chemicals before use in fire management activities on lands managed by the USDA FS. Additionally, the Agency needs "to have available and utilize adequate types and quantities of qualified fire chemical products to accomplish fire management activities safely, efficiently, and effectively." To accomplish this objective, the USDA FS evaluates fire chemical products available for use in direct wildland-fire management operations prior to such use on lands managed by the Agency. (FSH5109.16, zero code, sections 02 and 03).

- Federal Acquisition Regulation (FAR) Subpart 9.2 – Qualification Requirements.

FAR subpart 9.2 provides the authority to establish qualification requirements (QR), and requires the USDA FS to test all products to the QR to ensure all qualified fire chemicals meet minimum requirements and are listed on the Qualified Products List (QPL) once determined to meet the specification. Per the QR, qualified products do not contain ingredients that create an increased risk to firefighters or the public in typical use. The decisions regarding product effects are based on acute toxicity determinations of the products, a review of lists of known and suspected carcinogens, and risk assessments conducted on each product. The safety of firefighters' equipment, either ground-based or aircraft, is also considered (i.e., uniform and intergranular corrosion tests, effects on non-metallic materials, etc.).

Environmental factors, in terms of aquatic (fish, clean water) and terrestrial environments (wildlife, plants) is also considered. Acute toxicity tests identify potential acute toxicity concerns. Risk-determinations assist in identifying products that with typical use do not increase danger to the environment.

Effectiveness tests for long-term fire retardants measure a product's ability to reduce

fire spread and intensity even after the water has evaporated.

Effectiveness tests for Class A foams include determining the relationships between the amount of the foam concentrate in water and the resulting wetting and foaming ability and the stability of the resulting foam.

Effectiveness tests for water enhancers (gels) include determining the relationships between the amount of the concentrate in water and the resulting viscosity and cohesiveness and the stability of these characteristics.

The product concentrate and mixtures of product concentrate in water are assessed to determine whether the product can be stored, mixed, and used with readily existing facilities and equipment as typical in wildland fire operations.

Finally, evaluation and qualification of products is based upon meeting the standards identified in the appropriate fire chemical specification.

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.

a. What information will be collected - reported or recorded? (If there are pieces of information that are especially burdensome in the collection, a specific explanation should be provided.)

When a company requests qualification testing of long-term retardants, foam fire suppressants, or water enhancers, each item of information is collected ***one time only***, from the submitter. The following information is collected:

1) Safety Data Sheets (SDS)

SDSs shall be provided:

- By the individual or company submitting a product(s) for testing/evaluation
- For each of the individual ingredients incorporated in the product. These are prepared and available electronically from the ingredient supplier/manufacturer and typically accompany every shipment)

2) Form FS-5100-32, Water Enhancer - Formulation Disclosure Sheet

- Product name
- Formulation identification
- Submitting company
- Date submitted
- Submitted by (name and signature)
- Title of submitter
- Recommended mix ratio range

- Formulation ingredients (including water, and using common chemical name)
- Whether the ingredient or supplier is proprietary (if proprietary, explanation is required)
- Manufacturer, process, and quality/grade
- Chemical Abstract Services (CAS) number or other technical identification (must be accepted industry standard)
- Percent by weight in wet or dry concentrate
- Percent by weight in solution across the recommended use-level range
- Patent or Trade Mark number (and copy of the patent)
- Remarks

3) **FS-5100-33, Water Enhancer Technical Data Sheet – Part 1**

- Product name
- Submitting company
- Formulation identification
- Mix ratio range
- Physical properties of the concentrate (if liquid) and mixed product
- Recommended method for the laboratory preparation of the product (including equipment, techniques, and precautions), attach laboratory bulletin if needed
- Recommended methods for field mixing, handling, package, and proposed hardware; attach equipment bulletin if available.

4) **FS-5100-34, Water Enhancer Technical Data Sheet – Thickened Products – Part 2**

- Product name
- Submitting company
- Formulation identification
- Mix ratio range
- If submitted product is result of a chemical reaction, provide information explaining the reaction process and typical residual quantities of the reaction ingredients.
- Data, graphs or tables (as indicated) for each mix ratio being evaluated:
  - Water-enhancer mixture viscosity versus time since mixing, at a temperature of 70 degrees Fahrenheit;
  - A table of enhanced water mixture viscosity versus temperature of water used for mixing: Viscosity shall be measured at 10 minutes, 30 minutes, 1 hour, and 24 hours following mixing;
  - A table of enhanced water mixture viscosity at 70 degrees Fahrenheit, 1 hour and 24 hours following mixing, versus the mix ration from 0.25 percent below the lowest concentration to 0.25 percent above the highest

concentration; and
  - o A table of hardness and conductivity versus viscosity of the enhanced water mixture at 70 degrees Fahrenheit for 10 minutes, 30 minutes, 45 minutes, and 1 hour after mixing.
  - o Other data the submitter considers relevant and useful to the evaluation.
- Information regarding the residual content of potentially toxic substances remaining after the reaction process that created the ingredient: Water enhancers are unique in utilizing such "reacted" ingredients. The information is normally available to water enhancer product manufacturers from the ingredient manufacturer and can be forwarded to the USDA FS via letter or copies of documentation.

5) Form FS-5100-35, Foam Fire Supprssant - Formulation Disclosure Sheet

- Product name
- Formulation identification
- Submitting company
- Date submitted
- Submitted by (name and signature)
- Title of submitter
- Recommended mix ratio range
- Formulation ingredients (including water, and using common chemical name)
- Whether the ingredient or supplier is proprietary (if proprietary, explanation is required)
- Manufacturer, process, and quality/grade
- Chemical Abstract Services (CAS) number or other technical identification (must be accepted industry standard)
- Percent by weight in wet concentrate
- Percent by weight in solution across the recommended use-level range
- Patent or Trade Mark number (and copy of the patent)
- Remarks

6) FS-5100-36, Foam Fire Suppressant (Class A Foam) Technical Data Sheet

- Product name
- Submitting company
- Formulation identification
- Mix ratio range
- Physical properties of the concentrate (if liquid) and mixed product
- Recommended method for the laboratory preparation of the product (including equipment, techniques, and precautions), attach laboratory bulletin if needed
- Recommended methods for field mixing, handling, packaging, and proposed

hardware; attach equipment bulletin if available.

7) **Form FS-5100-37, Long-Term Retardant - Formulation Disclosure Sheet**

- Product name
- Formulation identification
- Submitting company
- Date submitted
- Submitted by (name and signature)
- Title of submitter
- Recommended mix ratio
- Formulation ingredients (including water, and using common chemical name)
- Whether the ingredient or supplier is proprietary (if proprietary, explanation is required)
- Manufacturer, process, and quality/grade
- Chemical Abstract Services (CAS) number or other technical identification (must be accepted industry standard)
- Percent by weight in wet or dry concentrate
- Percent by weight in solution at recommended use-level
- Patent or Trade Mark number (and copy of the patent)
- Remarks

8) **FS-5100-38, Long-Term Retardant Technical Data Sheet – Part 1**

- Product name
- Submitting company
- Formulation identification
- Mix ratio
- Physical properties of the concentrate (if liquid) and mixed product
- Recommended method for the laboratory preparation of the product (including equipment, techniques, and precautions), attach laboratory bulletin if needed
- Recommended methods for field mixing, handling, packaging, and proposed hardware; attach equipment bulletin if available.

9) **FS-5100-39, Long-Term Retardant, Hydration – Viscosity Curves, Technical Data Sheet – Part 2**

- Product name
- Submitting company
- Formulation identification
- Mix ratio
- Data, graphs or tables (as indicated) for a mixture of concentrate and water at the ratio being evaluated:

a. Mixed retardant viscosity versus time since mixing, at a temperature of 70 degrees Fahrenheit;
b. A table of mixed retardant viscosity versus temperature of water used for mixing: Viscosity shall be measured at 10 minutes, 30 minutes, 1 hour, and 24 hours following mixing;
c. A table of mixed retardant viscosity at 70 degrees Fahrenheit, 1 hour and 24 hours following mixing, versus the mix ratio from 0.25 percent below the lowest concentration to 0.25 percent above the highest concentration; and
d. Other data the submitter considers relevant and useful to the evaluation.

10) Analytical Results of metals testing

- ISO accredited laboratory results shall be provided by the submitter as tested in accordance with environmental EPA standard methods. These results provide environmental compliance data to the requirements of 40 CFR 261.24.

b. From whom will the information be collected? If there are different respondent categories (e.g., loan applicant versus a bank versus an appraiser), each should be described along with the type of collection activity that applies.

Table 1 - Respondents

Information Collected	**Description**	**Information Provided to:**	**Prepared by**
Safety Data Sheet	Safety Data Sheet for the submitted Wildfire Chemical Product	FS, Wildland Fire Chemical Systems	Wildfire Chemical Product manufacturer (respondent)
Safety Data Sheets	Safety Data Sheets for each individual ingredient, provided by ingredient manufacturer/supplier		Individual ingredient manufacturer/supplier to the respondent; submitted to FS by the Wildfire Chemical Product manufacturer (respondent)
FS-5100-32	Water Enhancer Formulation Disclosure Sheet		Wildfire Chemical Product manufacturer (respondent)
FS-5100-33	Water Enhancer Technical Data Sheet – Part 1		

FS-5100-34	Water Enhancer (Technical Data Sheet – Thickened Products - Part 2		
FS-5100-35	Foam Fire Suppressant - Formulation Disclosure Sheet		
FS-5100-36	Foam Fire Suppressant (Class A Foam) Technical Data Sheet		
FS-5100-37	Long-Term Retardant - Formulation Disclosure Sheet		
FS-5100-38	Long-Term Retardant Technical Data Sheet – Part 1		
FS-5100-39	Long-Term Retardant Technical Data Sheet - Part 2		
Metals Results	Analytical results of product from accredited laboratory		

c. What will this information be used for - provide ALL uses?

The information provided will allow the USDA FS to search and determine if any of the ingredients are on the:

- List of unacceptable ingredients as defined in USDA Forest Service Specification 5100-304d, section 3.4.1 and amendments
- List of unacceptable ingredients as defined in USDA Forest Service Specification 5100-306b, section 3.4.1 and amendments
- List of unacceptable ingredients as defined in USDA Forest Service Specification 5100-307b, section 3.4.1 and amendments
- List of Known and Suspected Carcinogens Base on United States Department of Health and Human Services. National Toxicology Program: Report on Carcinogens is available at https://ntp.niehs.nih.gov/ and the International Agency for Research on Cancer (IARC). IARC Monographs of Carcinogens are available at https://monographs.iarc.fr/, or

- The U.S. Environmental Protection Agency's List of Extremely Hazardous Materials

If an ingredient does occur in sufficient quantity for concern, it may trigger an additional risk analysis conducted by a USFS contractor to determine risk to human/environmental health by typical use of the product or to USDA FS employees evaluating the product.

A review of environmental regulations as they apply to the formulation and the ingredients of the formulation is completed by the USFS as a part of the overall review. Specifically, the status of each chemical with regard to the regulatory lists shown below is determined.

a. National Toxicology Program's Annual Report on Carcinogens.

b. International Agency for Research on Cancer (IARC) Monographs for Potential Carcinogens.

c. 40 Code of Federal Regulations (CFR) 355 Appendix A. – Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), List of Extremely Hazardous Substances and their Threshold Planning Quantities.

d. 40 CFR 302.4. – CERCLA, List of Hazardous Substances and Reportable Quantities.

e. 40 CFR 261.33. – Resources Conservation and Recovery Act (RCRA), Acutely Hazardous and Toxic Wastes.

f. 40 CFR 372. – Superfund Amendment and Reauthorization Act (SARA) Title III, sec 313, Emergency Planning and Community Right to Know (EPCRA), Toxic Release Inventory (TRI).

Should a risk analysis be necessary, Per FAR Subpart 9.2 the submitter may be asked to provide funding to cover any associated costs in accordance with FAR Subpart 9.2. The USDA FS may require that the risk analysis be completed prior to performing the product evaluation in order to identify risks to the people doing the evaluation.

Analytical environmental metal results will be compared against federal standards and 40 CFR 261.24.

d. How will the information be collected (e.g., forms, non-forms, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?

Respondents will be able to submit the information electronically via email.

e. How frequently will the information be collected?

Information is collected for each formulation or reformulation once, upon the respondent's initial request for evaluation. For the purposes of this information collection, it is anticipated on average five respondents will submit ten new responses during a twelve-month period.

f. Will the information be shared with any other organizations inside or outside USDA or the government?

Any proprietary information submitted to the USDA FS will be kept in locked files. All available information may be shared and discussed with representative of US Fish and Wildlife Service and NOAA-Fisheries as part of USDA FS consultation with these agencies as required by the National Environmental Policy Act, Endangered Species Act, and the Notice of Decision under the Environmental Impact Statement on the use of Long-Term Retardant. Information may also be shared with third party contractors performing tests on behalf of the USDA FS. Owners of the information will be notified via letter and must provide consent to share the information with the third party entities. Basic information on product performance and characteristics will be provided to potential users such as the Department of the Interior's wildland fire agencies, state wildland fire agencies, and international wildland fire cooperators (i.e., Canada and Australia) only if the product successfully completes the evaluation.

g. If this is an ongoing collection, how have the collection requirements changed over time?

As the product specifications have evolved, the USDA FS has reduced the amount of information collected. The Agency has identified the information necessary to evaluate the products, including that needed by Fish & Wildlife Service and NOAA Fisheries for consultation under the Endangered Species Act. In the case of potentially hazardous residual content created in development of an ingredient, the Agency asks for additional information necessary to address the potential risk to either the environment or human health.

The basic collection of specific information one time for each product submitted has not changed.

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.

The OMB forms used to collect information from respondents are available electronically. The Agency accepts electronic and hard copy submissions of required information. Nearly all respondents submit information electronically, although some pre-printed manufacturer/supplier's individual ingredient Safety Data Sheets are submitted in hardcopy.

The data collected is unique to each formulation and is the minimum necessary to determine potential hazardous effects. Generally, a portion of the data collected is proprietary and may not be appropriate for a fully automated collection process. When several similar products are submitted at the same time and use some of the same individual ingredients, submitters may send a single copy of an individual ingredient Safety Data Sheet rather than one for each formulation.

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.**

   The USDA FS is unaware of any other information source. The data collected is often proprietary in nature and not available through any other source within the Agency, USDA, other government source, or outside of government. Although the SDSs for the ingredients may be available from the respondent's supplier, to ensure the USDA FS receives the correct SDS for the specific ingredient it is best practice for the respondent to provide them.

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

   All potential respondents are from the private sector. Small businesses typically submit a single formulation for evaluation, while large businesses typically submit several formulations, and thus responses, at a time. Out of the 5 respondents, 2 are small businesses.

   The Agency has attempted to reduce the burden for all entities by limiting the collected information to the minimum necessary for USDA FS scientists to make informed decisions on human health and environmental risk; or procedures rquired to correctly mix and handle the product to provide a fair evaluation.

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.**

   Without this information, the USDA FS would not be able to assess the safety of wildland fire chemicals used to manage fires on Agency lands because specific ingredients and the quantity of each are not public information. This would result in the Agency failing to meet Forest Service Manual direction (FSM 5162.02) to utilize, "…

fire chemical products to accomplish fire management activities **safely**, efficiently, and effectively." *[Emphasis added.]* The information provided to agency personnel allows them to determine whether formulations contain hazardous ingredients in sufficient quantity to increase the risk to human health or to natural ecosystems to unacceptable levels.

The first safety item that must be addressed by the Agency is to determine whether there are ingredients in the formulation that could be hazardous to the laboratory personnel doing the evaluation. The next concern is the use of the product in wildland fire fighting and the potential exposure to the firefighters, the public at large, and to the environment. Knowledge of specific ingredients and their respective quantity in a product allows the USDA FS to make informed decisions regarding the human health and environmental risk of these products.

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 secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

When a supplier wishes to submit a new product or a variation of an existing product, an evaluation is required ONCE. The change may be as minor as using a new "brand" of one ingredient or may be a completely new product. The evaluation takes 18-24 months and is performed by the Forest Service.

Before we can begin the laboratory evaluation, we require full disclosure – in great detail – of the composition of the product. This includes the manufacturer, quantity, grade/quality of every ingredient. If any of this information changes, we consider it to be a new product, requiring a full evaluation.

All of the information provided is considered trade secrets and is held in a secure location. We discuss this information only with the supplier, the people that do the risk assessments and testing that we require on all products, and representatives of Fish and Wildland Service and National Marine Fisheries. This is required for all products that may be applied on land or water under the control of these agencies.

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 describe actions taken by the agency in response to these comments. Specifically address commitments 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 record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

This unit does not perform the type of work described. The information we receive is ONLY from an entity that wishes to submit a new product, designed to help in wildland firefighting, for use by the USDA FS and other wildland fire fighting agencies. If required the consultation is performed on an as-needed basis for new fire chemicals.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 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.

A Federal Register Notice notifying the public of the 60-day comment period for this information collection renewal was published in Volume 86, No. 93, page 26689-

26690 on May 17, 2021. The USDA FS received several comments as shown below as a summary with the agency response. The full comments are retained as part of this process.

RESPONDENT 1 - (FSEEE).

1) This respondent noted multiple legislative acts to which the USDA Forest Service needs to comply with. This include the Clean Water Act, Endangered Species Act, RCRA, Safe Drinking Water Act, CERCLA, and state hazardous waste and water-quality laws. They request collecting data for heavy metals that would violate such acts and laws.

AGENCY RESPONSE

The revision to the FS 5100-304 specification requires the submission of this data as part of the evaluation. This is a new addition to specification, that was previously only written into the Manufacturers Submission Procedures. This revision addresses the specific request to report these heavy metals in compliance with the referenced acts and laws.

2) The second comment received was that this data collection is insufficient and does not properly collect data relevant for toxicity and heavy metals testing. It also points out that current toxicity protocols don't reflect the weigh-of evidence approach spanning acute mortality, chronic and sublethal effects, behavioral and neurological impairment and bioaccumulation.

AGENCY RESPONSE

As noted in the response to 1) for ICP-MS elemental analysis, the revision to the specification now proposes the addition of section 3.3.8. as written:

Heavy Metals Testing. Each product shall have the product concentrate tested for total heavy metal content using the applicable method, and those with amounts greater than shown below (using the Rule of 20) will be tested using TCLP methods in accordance with 4.1.3. This testing is performed on the product submitted to the laboratory and tested through a 3rd party ISO 17025 accredited to the applicable methods (i.e. EPA 1311A, 3050B, 3010A, 6010 or 6020). No product shall be acceptable if reportable metals under the TCLP analysis exceed the US EPA Allowable limits.

The acid digestions combined with the EPA 6010 and 6020 methods will be able to provide the requested elemental analysis across more than just the RCRA analytes.

As for the toxicity data collected, it is conducted to EPA 850.1075 which reports LC50 and NOEC values. All available toxicity data is considered as part of the ecological risk assessment and environmental consultation. This data is not collected during the submission process and is instead captured

by the laboratory evaluation process.

3) The respondent recommends to publicly disclose results against regulatory benchmarks, the methodologies used in ESA consultations and report fractions of bioavailability.

AGENCY RESPONSE

The National Technology and Development Program maintains a website with available data reported for risk assessments, toxicity data, safety data sheets, and all other non-proprietary information. As the revised specification comes to being published, the additional data generated will also be made available to users.

4) Point 4 made by the respondent, emphasizes the needs outlined above, noting the minimal cost is worth the added data needs.

AGENCY RESPONSE

The data collection and the updated testing protocols and requirements should satisfy the requests made by this submitter.

RESPONDENT 2 - BLAZETAMER

1) Respondent requests clarity between product category types, including subcategories of water enhancers.

AGENCY RESPONSE

This appears to be outside the scope of this data collection, and is rather incorporated into future specification revisions.

2) Respondent requests product update “amendments” and not requiring those products to go through full evaluations.

AGENCY RESPONSE

Reduced testing of identical submissions (differing only by source) is being considered by the program, and will be updated in accordance with agency leadership.

3) Respondent requests revising the burden to reflect actual obligations.

AGENCY RESPONSE

The estimated burden spreadsheets and associated documentation have been updated to reflect accurate costs.

4) Respondent requests revisiting colors for use in product types.

AGENCY RESPONSE

This appears to be outside the scope of this data collection, and is rather incorporated into future specification revisions.

5) Respondent requests qualifying 3rd party laboratories in pace of USFS processes to reduce costs.

AGENCY RESPONSE

Maintaining sample integrity cradle-to-grave with chain of custody for the samples tested limits liability to the program. This is the reason direct third-party testing is not accepted.

6) Respondent requests working with other international labs as part of the qualification processes.

AGENCY RESPONSE

See the response to comment 5, same principles apply here.

RESPONDENT 3 – Perimeter Solutions.

1) They believe the information collection is necessary.

AGENCY RESPONSE

None.

2) They believe the estimated burden is low.

AGENCY RESPONSE

Estimated burden is updated to reflect best estimates.

3) The respondent notes the required addition of heavy metals testing of the products and the reduced requirement for a product with the same chemical components, but from different sources need not go through the same data collection and testing process as an improvement.

AGENCY RESPONSE

Same as response to RESPONDENT 1; updated specification collects the heavy metals data requested. Reduced testing of identical submissions (differing only by source) is being considered by the program, and will be updated in accordance with agency leadership.

4) The respondent recommends reducing duplication in efforts when testing similar product formulations and engaging the laboratory more for the qualification process.

AGENCY RESPONSE

The laboratory remains an integral part of the qualification process. As such the duplication of efforts for similar products will be discussed with their team to determine if there is a process to reduce this burden to all companies.

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

The FS does not provide any payment or gift to respondents for the information provided.

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

The information regarding specific ingredients and quantities of ingredients is proprietary information belonging to the respondent. Information collection occurs after the respondent and the USDA FS both have signed a Collection Agreement. The information is kept in a secure location and requests for information are processed under the Freedom of Information Act (FOIA), which exempts such information from disclosure under exemption 4. FOIA exemption 4 covers trade secret information that is privileged or confidential (refers to business information received from outside individuals/businesses).

The proprietary information is not shared with other agencies except as described in US Forest Specification and required during consultation with the US Fish and Wildlife Service and NOAA-Fisheries under the National Environmental Protection Act or Endangered Species Act. The information as to whether a product may increase the risk to human health or environmental health is provided from the data the USDA FS obtains during the product evaluation.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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.

The information required from the respondents is related to the composition of the product they submit. It does not include any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

USFS cannot predict how many products, if any, will be submitted for evaluation in any single year or three-year period. The numbers reported are our best professional

estimation. It is common for us to have no submissions of a specific product type in any given year and sometimes there is only 1 in a three-year period. Please note that the burden will vary greatly depending on experience of the personnel completing the submission for their company.

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
  a) **Description of the collection activity**
  b) **Corresponding form number (if applicable)**
  c) **Number of respondents**
  d) **Number of responses annually per respondent,**
  e) **Total annual responses (columns c x d)**
  f) **Estimated hours per response**
  g) **Total annual burden hours (columns e x f)**

Table 2 – Estimated Burden Hours

(a) Description of the Collection Activity	(b) Form Number	(c) Number of Respondents	(d) Number of responses annually per Respondent	(e) Total annual responses (c x d)	(f) Estimate of Burden Hours per response	(g) Total Annual Burden Hours (e x f)
Water Enhancer – formulation disclosure	FS-5100-32	2	1	2	1.0	2.0
Water Enhancer Technical Data Sheet – Part 1	FS-5100-33				2.0	4.0
Water Enhancer (Technical Data Sheet – Thickened Products - Part 2	FS-5100-34				2.0	4.0
Foam Fire Suppressant - Formulation Disclosure Sheet	FS-5100-35	3	1	3	1.0	3.0
Foam Fire Suppressant (Class A Foam) Technical Data Sheet	FS-5100-36				2.0	6.0
Long-Term Retardant - Formulation Disclosure Sheet	FS-5100-37	5	1	5	1.0	5
Long-Term Retardant Technical Data Sheet – Part 1	FS-5100-38				2.0	10
Long-Term Retardant Technical Data Sheet - Part 2	FS-5100-39				2.0	10
Total (Possible Additions)		**10**	**3**	**10**	**13**	**44.0**
Safety Data Sheets	N/A	10	1	10	1.0	10.0

Analytical Test Results	N/A	5	1	5	2.0	10.0
Total (Possible Additions)		**15**	**1**	**15**	**3.0**	**20**

Responses for similar activities have been combined since they required the same information for different categories of products and the burden was for the same activity.

A small number of product submissions, typically less than 15, are received each year. Of the ten respondents, five may complete FS-5100-34 and/or FS-5100-39, and the analytical results as part of the complete package to be counted as part of the ten respondents, not an additional respondent. This is not a given, and therefore, not a certain in the calculations. Due to this uncertainty, USFS has provided a range of 5.5 to 8 hours per response.

- **Record keeping burden should be addressed separately and should include columns for:**

  a) Description of record keeping activity:

  b) Number of record keepers:

  c) Annual hours per record keeper:

  d) Total annual record keeping hours (columns b x c):
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

Table 3 – Estimated Annual Cost to Respondents

(a) Description of the Collection Activity	(b) Estimated Total Annual Burden on Respondents (Hours)	(c) Estimated Average Income per Hour	(d) Estimated Cost to Respondents
FS-5100-32	2.0	$ 50.00	$ 100.00
FS-5100-33	4.0	$ 50.00	$ 200.00
FS-5100-34	4.0	$ 50.00	$ 200.00
Sub Total for Water Enhancers	10.0	---	$ 500.00
FS-5100-35	3.0	$ 50.00	$ 150.00
FS-5100-36	6.0	$ 50.00	$ 300.00
Sub Total for Class A Foam	9.0	---	$ 450.00
FS-5100-37	5.0	$ 50.00	$ 250.00
FS-5100-38	10.0	$ 50.00	$ 500.00
FS-5100-39	10.0	$ 50.00	$ 500.00
Sub Total for Long-Term Retardants	25.0	---	$1250.00
Combined Total for All Product Types	44.0	---	$2200.00

The estimate of $50.00/hr to accomplish the collection activity for the forms assumes a chemist is performing these duties, based upon a review of their development work. The salary was determined by asking a respondent if an annualized salary of approximately $100,000 was appropriate for the individuals preparing the collection forms. This value was also verified with available data online for wage determination. The response was that this was a correct approximation, considering the cost to the company per year (including benefit package). The average daily cost was calculated by dividing the annual salary of $100,000 by 261 workdays per year[1]. The daily cost was divided by 8 (number of hours in an average workday) and rounded up to nearest $5.00 to determine an hourly cost.

To determine the estimated average income for a clerical employee to collect the Safety Data Sheets from individual ingredient manufacturers, $25.00 was chosen as being the approximate average of the hourly cost of a GS-5 and GS-6 salary.

For the Analytical results, the average cost of that testing is around $1,000 per

1 Average number of workdays in a calendar year

submission.

13. **Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information, (do not include the cost of any hour burden shown in items 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

    There are no capital operation and maintenance costs.

14. **Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

    The response to this question covers the actual costs the agency will incur as a result of implementing the information collection. The estimate should cover the entire life cycle of the collection and include costs, if applicable, for:

    - **Employee labor and materials for developing, printing, storing forms**
    - **Employee labor and materials for developing computer systems, screens, or reports to support the collection**
    - **Employee travel costs**
    - **Cost of contractor services or other reimbursements to individuals or organizations assisting in the collection of information**
    - **Employee labor and materials for collecting the information**
    - **Employee labor and materials for analyzing, evaluating, summarizing, and/or reporting on the collected information**

Table 4: Estimated Annual Cost to the Government

ACTION ITEM	PERSONNEL	GS LEVEL	HOURLY RATE	HOURS	SALARY
Employee labor and materials for analyzing, evaluating, summarizing, and/or reporting on the collected information	Chemist	GS-12/10	$54.17	80	$4,333.60
				Total annual cost	$4,333.60

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

    USDA FS has reduced the amount of information collected, resulting in reduced burden

overall.

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

There are no plans for the USDA FS to publish the results of this information collection activity. The SDS files are made available to users of the products for safety purposes.

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.

The USDA FS requests approval to omit the expiration date for OMB approval from the forms associated with this information collection. The forms are used rarely, are not expected to change, and are usually collected one time only for each formulation. An expiration date may cause respondents confusion, as they may interpret this as an expiration date for the information provided, which is not the case.

18. Explain each exception to the certification statement identified in item 19, "Certification Requirement for Paperwork Reduction Act."

The USDA FS is able to certify compliance with all provisions under item 19.

19. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.