

**SUPPORTING STATEMENTS FOR TECHNICAL TRAINING PROGRAM
NON-FEDERAL NOMINATION FORM AND REQUEST FOR PAYMENT
OF TRAVEL AND PER DIEM FORM**

OMB Control Number 1029-0120

INTRODUCTION

This information collection clearance package is being submitted by the Office of Surface Mining Reclamation and Enforcement (OSM) for the renewed authority to collect information from non-Federal personnel in order that they may participate in OSM's National Technical Training Program courses. The nomination form identifies information which assists in determining if the course is appropriate for the nominee's needs. The travel and per diem form is used to estimate the nominee's cost to the program. The Office of Management and Budget (OMB) has assigned this collection control number 1029-0120.

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-I is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

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.*

The Non-Federal nomination form (OSM 105) is used to

gather such basic information as name, address, office address, and course title. The form also assists in determining that the nominee is applying for a course appropriate for their job and skill levels. The travel and per diem form (OSM 140) is necessary to approximate the cost to OSM of each non-Federal student and to determine if the nominee is using the most efficient and least expensive mode of transportation. Authority for these forms is found in Section 102 of the Surface Mining Control and Reclamation Act (SMCRA) which provides for the training of personnel in the States. In addition, our annual appropriations language authorizes payment for the travel and per diem expenses of State and Tribal personnel attending OSM-sponsored training.

2. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]*

OSM is seeking renewal authority for the collection of the information on these forms. The information collected is used to identify and evaluate the requested training courses as it pertains to each individual student. The intent of OSM's training program is to enhance students' current job performance. Therefore, it is important for OSM to determine the appropriateness of the courses so it meets the needs of students and their employers, which are State and Tribal regulatory and reclamation authorities as well as industry personnel. The information on the form is also used to record the student's name and course selection in a database in order to avoid students' repeating the same course, thus eliminating unnecessary spending. A limited budget requires that the travel and per diem form be used to help OSM determine the number of students who can participate in its technical training program.

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the*

decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements.].

Efforts are underway to collect this information electronically. The forms will be part of an automated Learning Management System (LMS) currently in the developmental\testing stage and is expected to be fully operational within one year. The information is currently being collected in paper format.

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.*

OSM maintains a database of nominees and their course selections which can be queried to avoid duplication. These forms assist in determining the nominee's applicability to take the course; and is used to tally the number of nominees requesting a specific course and the estimated cost for each student. Similar information does not exist elsewhere and there is no duplication.

5. *If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.*

There is no special burden assigned to small entities. The forms are filled out by either the student or supervisor.

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 collection, OSM would not be able to schedule the appropriate number of classes or select instructors or to estimate costs for the year. This collection is completed once per student per class.

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

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

These collections are conducted in conformance with the provisions of 5 CFR 1320.5(d)(2).

8. *If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.*

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and

phone numbers of persons contacted.]

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.

OSM requires both forms to be completed by each nominee per class.

OSM receives both the nomination and travel and per diem forms from students early in the Fiscal Year. The nomination form is used to calculate the type and number of classes and instructors needed to complete its technical training mission. The travel and per diem form permits OSM to estimate costs and evaluate the mode and cost of transportation.

In September 2006, OSM contacted two non-Federal students who completed the nomination and per diem forms:

Rhonda Whitsel
Pennsylvania Department of Environmental Protection
(724) 925-5500, ext. 5514

Carla Lightsey
Alabama Surface Mining Commission
(202) 221-4130

Neither of the individuals contacted expressed concerns or complaints with the reporting requirements of these forms and each person indicated that the time required to complete and send the forms was about 5 minutes for each form.

On September 11, 2006, OSM published in the Federal Register (71 FR 53476) a notice requesting comments from the public regarding the need for the collection of information, the accuracy of the burden estimate, ways to enhance the information collection, and ways to minimize the burden on respondents. This notice gave the public 60 days in which to comment. However, no comments were received.

9. *Explain any decision to provide any payment or gift to*

respondents, other than remuneration of contractors or grantees.

OSM provides approximately 50% of all State and Tribal funding. Further, OSM pays for all OSM-sponsored training, travel, lodging and meals for each student.

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

Respondents are informed by cover letter that their responses are confidential. Neither their names nor other identifying information are divulged.

11. *Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.*

No questions of a sensitive nature are asked.

12. *Provide estimates of the hour burden of the collection of information. The statement should:*
 - * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.*
 - * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.*
 - * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.*

The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Estimated Cost

a. Estimated Burden to Respondents.

1200 nominees from State, Tribes and industry applied for courses in 2006. The two students polled estimate that the forms require approximately 5 minutes each, on average, to complete. Therefore,

$$1200 \text{ respondents} \times 5 \text{ minutes} \times 2 \text{ forms} = 200 \text{ hours.}$$

b. Estimated Cost to Respondents.

Assuming a rate of pay of \$45 per hour, OSM estimates that the following costs to respondents:

$$200 \text{ hours} \times \$45 \text{ per hours} = \$9,000$$

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

** The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.*

** If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of*

respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

* Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Non-Wage Costs.

Not applicable. OSM pays the postage so there is no cost incurred to respondents beyond that already indicated in item 12 above.

14. *Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.*

Estimated Cost to Federal Government.

OSM received 1200 responses, requiring one person 15 minutes to process each form. Therefore, 1200×15 minutes $\times 2$ forms = 600 hours. Based on the hourly wage of \$45, the cost to the Federal government is approximately: $\$45 \times 600$ hours = \$27,000.

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

This information collection request increases the approved burden because the average number of students has risen from 900 to 1200 annually. OSM is now seeking OMB approval for 200 hours for this collection of information. In our last submission we erroneously requested 105 hours, instead of the appropriate 150 hours. This request rectifies that error. Therefore, the burden will change as follows:

105 hours currently approved
+ 45 hours due to prior error
+ 50 hours due to change in use

200 hours requested on OMB 83-I

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

There are no plans for publication of this information. The information is for internal use only.

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 OMB approval number and expiration date will be updated on each of the evaluation forms upon approval by OMB.

18. *Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.*

Not applicable. There are no exceptions to the certification statement in Item 19 of OMB Form 83-I. This collection complies with 5 CFR 1320.9 where applicable.

B. Collections of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the OMB Form 83-I is checked "Yes", the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

1. *Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be*

provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.

2. *Describe the procedures for the collection of information including:
 - * *Statistical methodology for stratification and sample selection,*
 - * *Estimation procedure,*
 - * *Degree of accuracy needed for the purpose described in the justification,*
 - * *Unusual problems requiring specialized sampling procedures, and*
 - * *Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**
3. *Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.*
4. *Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.*
5. *Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.*

Not applicable. Statistical sampling methods were not needed since each student must complete each form to qualify for OSM training.