

SUPPORTING STATEMENT
Notice 2000-28
OMB #1545-1690

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Internal Revenue code section 4121 imposes a tax on the producer's sale of coal from mines in the United States.

Art 1, §9, cl.5 of the United States Constitution provides that no tax or duty shall be laid on articles exported from any state.

Section 6416(a) (1) provides that no credit or refund of any overpayment of a manufacturers excise tax (including a tax imposed by § 4121) shall be allowed or made unless the person that paid the tax complies with certain prescribed conditions to allowance.

Section 6416(c) allows an exporter of an article to claim a credit or refund if, among other conditions, the person that paid the tax to the government waives its right to make the claim.

2. USE OF DATA

The information will be used by the Service to verify that the proper amount of tax is refunded or credited.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

IRS Publications, Regulations, Notices and Letters are to be electronically enabled on an as practicable basis in accordance with the IRS Reform and Restructuring Act of 1998.

4. EFFORTS TO IDENTIFY DUPLICATION

We have attempted to eliminate duplication within the agency wherever possible.

5. **METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES**

We have been unable to reduce burden specifically for small businesses.

6. **CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES**

The collection is necessary to substantiate credit or refund claims.

7. **SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.5(d)(2)**

There are no special circumstances requiring data collection to be inconsistent with guidelines in 5 CFR 1320(d)(2).

8. **CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS**

Notice 2000-28 was published in the **Internal Revenue Bulletin** on May 22, 2000 (2000-21 IRB 1116).

In response to the *Federal Register* notice dated December 9, 2015 (80 FR 76618), we received no comments during the comment period regarding Notice 2000-28.

9. **EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS**

No payment or gift has been provided to any respondents.

10. **ASSURANCE OF CONFIDENTIALITY OF RESPONSES**

Generally, tax returns and tax return information are confidential as required by 26 USC 6103.

11. **JUSTIFICATION OF SENSITIVE QUESTIONS**

No Personally Identifiable Information is collected.

12. **ESTIMATED BURDEN OF INFORMATION COLLECTION**

Section II.(B) requires prescribed information to be provided to the IRS in order for a coal producer to receive a credit or refund of tax with respect to exported coal. We estimate that there will be 350 coal producers that will make this claim and that the claim will take one hour to complete. The total burden for this requirement is 350 hours.

Section II.(C) requires prescribed information to be provided to the IRS in order for a coal exporter that is not a producer to receive a credit or refund of tax with respect to exported coal. We estimate that there will be 50 coal exporters that will make this claim and that the claim will take one hour to complete. The total burden for this requirement is 50 hours.

The total burden for the above requirements is 400 hours.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

Estimates of the annualized cost to respondents for the hour burdens shown are not available at this time.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

There is no estimated cost to the federal government.

15. REASONS FOR CHANGE IN BURDEN

There is no change in the paperwork burden previously approved by OMB. We are making this submission to renew the OMB approval.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

There are no plans for tabulation, statistical analysis and publication.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

We believe that displaying the OMB expiration date is inappropriate because it could cause confusion by leading

taxpayers to believe that the notice sunsets as of the expiration date. Taxpayers are not likely to be aware that the Service intends to request renewal of the OMB approval and obtain a new expiration date before the old one expires.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions to the certification statement.

Note: The following paragraph applies to all of the collections of information in this submission:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.