

Supporting Statement
for the
Petroleum Supply Reporting System
OMB Number 1905-0165

Introduction

This request is for a three-year extension of approval for the following currently-approved petroleum supply survey forms (OMB No. 1905-0165):

EIA-800, Weekly Refinery and Fractionator Report,
EIA-801, Weekly Bulk Terminal Report,
EIA-802, Weekly Product Pipeline Report,
EIA-803, Weekly Crude Oil Stocks Report,
EIA-804, Weekly Imports Report,
EIA-805, Weekly Terminal Blenders Report,
EIA-810, Monthly Refinery Report,
EIA-811, Monthly Bulk Terminal Report,
EIA-812, Monthly Product Pipeline Report,
EIA-813, Monthly Crude Oil Report,
EIA-814, Monthly Imports Report,
EIA-815, Monthly Terminal Blenders Report,
EIA-816, Monthly Natural Gas Liquids Report,
EIA-817, Monthly Tanker and Barge Movement Report,
EIA-819, Monthly Oxygenate Report, and
EIA-820, Annual Refinery Report.

All of these forms are mandatory. With respect to its previously approved petroleum supply survey forms, EIA is proposing no new changes to these forms.

An announcement regarding the petroleum supply survey forms was published in the Federal Register notice 71 FR 32334 dated June 5, 2006. EIA is proposing no changes to the surveys.

The information collection proposed in this supporting statement has been reviewed in light of applicable information quality guidelines. It has been determined that the information will be collected, maintained, and used in a manner consistent with the OMB, DOE, and EIA information quality guidelines.

A. Justification

1. Legal Authority

The authority for these data collections is provided by the following provisions:
Section 13(b) (15 U.S.C. § 772 (b)) of the Federal Energy Administration Act of 1974, P.L.

93-275 (FEA Act), which states:

“All persons owning or operating facilities or business premises who are engaged in any phase of energy supply or major energy consumption shall make available to the [Secretary] such information and periodic reports, records, documents, and other data relating to the purposes of this Act, including full identification of all data and projections as to source, time, and methodology of development, as the [Secretary] may prescribe by regulation or order as necessary or appropriate for the exercise of functions under the Act.”

The functions of the FEA Act are set forth in Section 5(b) (15 U.S.C. § 764(b)) of the Act, which states that the [Secretary] shall, to the extent he is authorized by Section 5(a) of the FEA Act:

- (2) assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public; . . .
- (4) develop plans and programs for dealing with energy production shortages;
- (5) promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;
- (6) assure that energy programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met;...
- (9) collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data;

As the authority for invoking Section 5(b) above, subsection 5(a) (15 U.S.C. § 764(a)) of the FEA Act of 1974 states:

Subject to the provisions and procedures set forth in this Act, the [Secretary] shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions -

- (1) specifically transferred to or vested in him by or pursuant to this Act;
- (3) otherwise specifically vested in the [Secretary] by the Congress.

Authority for invoking Section 5(a) of the FEA Act is provided in turn by Section 52 (15 U.S.C. § 790a) of the FEA Act which states:

(a) It shall be the duty of the (Director) to establish a National Energy Information System (hereinafter referred to in this Act as the (“System”) [that] shall contain such information as is required to provide a description of and facilitate analysis of energy supply and consumption within and affecting the United States on the basis of such geographic areas and economic sectors as may be appropriate ...

(b) At a minimum, the System shall contain such energy information as is necessary to carry out the Administration's statistical and forecasting activities, and shall include, such energy information as is required to define and permit analysis of:

(1) the institutional structure of the energy supply system including patterns of ownership and control of mineral fuel and nonmineral energy resources and the production, distribution, and marketing of mineral fuels and electricity;

(2) the consumption of mineral fuels, nonmineral energy resources, and electricity by such classes, sectors, and regions as may be appropriate for the purposes of this Act;...

(5) industrial, labor, and regional impacts of changes and patterns of energy supply and consumption.

2. Data Needs and Uses

Purpose

The purpose of the Petroleum Supply Reporting System (PSRS) package is to collect detailed petroleum industry data to meet EIA’s mandates and energy data users’ needs for credible, reliable, and timely energy information. Adequate evaluation of the industry requires data on production, receipts, inputs, movements, and stocks of crude oil, petroleum products, and natural gas liquids in the United States. The data are published or released on EIA’s website in nine EIA periodicals (**Attachment A** - provides a description of the petroleum supply forms and a list of the publications using these data).

(1) The data that DOE collects are used to address significant energy industry issues. In line with its mandated responsibility to collect data that adequately describe the petroleum supply marketplace, DOE has been and will continue to be asked to evaluate the significance of a number of important issues related to the energy industry in general and the petroleum supply industry in particular. The data collected by the Petroleum Supply Reporting System surveys are among those that are required to address these issues.

(2) Alternative data sources do not adequately satisfy the needs of EIA and its user communities. Accurate, meaningful, and independent supply statistics are essential to describe and measure phenomena in the marketplace. It is necessary that this information

be collected by an unbiased, independent source, if the data are to be credible.

Data from the forms in the Petroleum Supply Reporting System are published or released on EIA's website in the *Weekly Petroleum Status Report*, *This Week in Petroleum*, *Petroleum Supply Monthly*, *Petroleum Supply Annual*, *Monthly Energy Review*, *Annual Energy Review*, *Short-Term Energy Outlook*, *Annual Energy Outlook*, *Refinery Capacity Report*, and other EIA publications.

EIA's petroleum supply program provides Congress, other government agencies, businesses, trade associations, and private research and consulting organizations with data for analysis, projections, and monitoring purposes.

Data collected weekly using Forms EIA-800 through EIA-805 is similar although less detailed, than the data collected monthly using Forms EIA-810 through EIA-815. Respondents to the weekly surveys are a sample of those reporting on the monthly surveys. The Forms EIA-816, 817, and 819 are also used to collect data monthly.

Data collected weekly appear in the EIA publications *Weekly Petroleum Status Report (WPSR)* and *This Week in Petroleum (TWIP)* on the Internet. This summary of petroleum supply, demand, and inventories is the only timely government source of consistent data regarding the current United States petroleum situation. The EIA instituted the *WPSR* in April 1979. The report was designed to provide prompt information during gasoline shortages that were part of the repercussions arising from the revolution in Iran. Since then, the report has informed a wide audience of the overall petroleum situation on a very timely basis with consistent, well-understood, and verifiable data. The *TWIP* was instituted in 2002 as a means to provide data, graphs, and analysis about petroleum supply and prices on the Internet.

The electronic access of the *WPSR* and the *TWIP* has accounted for over 3,000,000 users of this data annually, if not more. Customers of the *WPSR* and the *TWIP* represent Federal and State government energy staffs, managers and analysts with the petroleum, financial, and other industries, the news media, and diverse groups in the general public. Data are used within the EIA as a source of current information required to develop meaningful supply and demand forecasts published monthly in the *Short-Term Energy Outlook (STEO)*. They are also used in a similar manner to provide timely information for United States petroleum supply forecasts made to the International Energy Agency (IEA) each month.

Output of the *WPSR* and the *TWIP* has reduced the number of ad hoc requests to the EIA for current petroleum supply information, ensured consistency in the supply information which is provided to the public, and acted as a deterrent to undue reaction to isolated supply problems. The *WPSR* and the *TWIP* are well-regarded by customers and have become necessary information and analytical tools that users heavily rely upon for timely data.

While more accurate and detailed data are presented in the EIA's publication, *Petroleum Supply Monthly (PSM)*, the monthly surveys do not capture sudden or rapid changes in the petroleum

market conditions nor do they provide data that is timely enough to be useful in a shortfall situation. There are well-defined needs for petroleum supply data to be collected both on a weekly and monthly basis in order to meet data requirements set forth by governments, industry, as well as, the general public. Altering either data collection effort in order to eliminate what appears to be duplication would result in disruption to the availability of necessary, valid, and timely petroleum supply information.

The Energy Information Administration maintains that the data collected on these forms are unique. While some data are available from other Federal agencies and/or from private or industry sources, these data cannot adequately replace the high quality, independent, and timely data provided by these petroleum supply survey forms.

As a result of the Clean Air Act of 1990, the Form EIA-819 was implemented in order to monitor the availability of oxygenates. This information is used by Federal government agencies, energy analysts, and other public entities. It is published electronically in the *PSM* and the *EIA-819 Monthly Oxygenate Report*.

The Form EIA-820 is an annual survey used to collect current and projected data from refineries. This information is used by EIA analysts, other Federal and State government agencies, energy analysts, and a wide range of groups in the general public to analyze the refinery industry. Data are published on the Internet at the *Refinery Capacity Report* site.

3. Technical Considerations

In an effort to reduce respondent burden and to provide for more timely processing of filings, automated reporting of the data is accepted, provided such reports are prepared and transmitted to EIA in the same format as the data collection form. Data are submitted by telephone, Internet using secure file transfer, facsimile, mail, email, and by the PC Electronic Data Reporting Option (PEDRO). In various EIA surveys, several large respondents provide computer-generated reports in lieu of completing report forms. EIA encourages this type of reporting in order to reduce respondent burden.

The EIA encourages its survey respondents to transmit data using the Secure File Transfer System of an Excel spreadsheet through the Internet or to use PEDRO. The Secure File Transfer System encrypts (scrambles) the spreadsheet data into a code that is not readable to anyone without the key to decipher it. The secure hypertext transfer protocol (HTTPS) is a communications protocol designed to transfer encrypted information between computers over the World Wide Web. PEDRO was developed to reduce respondent burden and provide timely data to EIA. PEDRO is an advanced electronic data communications software package. It facilitates a fast, accurate, and efficient transmission of data from remote sites to a central computing facility. Using a personal computer for data entry, PEDRO provides the user with an image of a hard copy survey form. Users enter numeric data and text using the keyboard or by importing data from another computer system. PEDRO has the capability to perform a variety of data checks by comparing data against range checks, lists of accepted values, or criteria derived

from historical data. Security of the data transmission is accomplished through the use of passwords and data encryption. Data accuracy is ensured by several levels of error detection.

4a. Efforts to Reduce Duplication

EIA has conducted extensive reviews to ensure its petroleum supply surveys do not duplicate other data available. In addition, EIA has analysts who are very knowledgeable of the petroleum data that review these survey forms. As changes are proposed to petroleum supply survey forms, EIA conducts extensive review processes to ensure the avoidance of the unnecessary collection of data. At this time, every effort has been made to identify, through discussions with trade associations, private companies, and other government offices, potential duplication of data, data that is no longer necessary, or data that can be collected more efficiently by another survey.

4b. Inadequacies of Similar Data

The EIA has evaluated all known sources of data relating to petroleum supply and found no other sources to be as comprehensive or detailed to replace the data collections currently utilized by the Federal government. It was determined that other sources are not sufficient to replace or approximate the information collected because of differences in classification, or due to the lack of universe estimation procedures.

When changes are proposed to petroleum supply survey forms, an extensive review of other sources relating to these types of data is performed.

5. Burden Reduction for Small Businesses and Small Entities

Data requested provides the minimum information necessary to fulfill EIA's responsibility to provide meaningful, timely, objective, and accurate petroleum supply data. Respondents to the survey complete only those data elements applicable to their operations. Sampling practices are utilized in order to minimize burden on respondents whenever this will not impact the quality of the data. The use of PEDRO or the Internet by respondents reduces reporting burden by eliminating paperwork and reducing follow-up calls resulting in survey re-submissions. Also, EIA staff members are available during normal business hours to provide assistance by telephone.

6. Results of Collecting Data Less Frequently

The Energy Information Administration is recognized as the major collector of comprehensive and reliable United States energy supply and demand data. All sectors of the economy rely on EIA for energy statistics and consider its publications unflinching as timely Government indicators of current energy conditions and incipient trends. Less frequent reporting would prohibit EIA from meeting its mandate of providing timely and reliable energy information.

7. Special Circumstances

On a weekly basis, the data on the EIA-800 through EIA-804 have been collected since 1979 while data on the EIA-805 have been collected since 2004. The data are used to generate the *Weekly Petroleum Supply Report* and *This Week in Petroleum*. The reports generated from the weekly data are very much in demand by a wide audience. The EIA-810 through EIA-819 are collected on a monthly basis and are published in the *Petroleum Supply Monthly*, *Monthly Energy Review*, *Petroleum Supply Annual* and the *Annual Energy Review*. The data are required to meet the needs of the public and private sectors.

8. Summary of Consultation Outside the EIA

A request for comments from interested persons was solicited in a Federal Register Notice that proposed a three-year extension of the collection approval for each of the surveys with no changes to the previously approved collections. The notice was published on June 5, 2006 in the *Federal Register*, (71 FR 32334). Comments were received from one interested party. A summary of the response is listed below.

- The comment from an extensive user of the data supported the continued collection of data by EIA on the Petroleum Supply Forms. In addition, the commenter requested to be kept informed concerning any modifications to these forms.

The *Federal Register* notice announcing the submission of the Petroleum Supply Reporting System package to the Office of Management and Budget was published on October 17, 2006. The citation is (71 FR 61034).

9. Remuneration

There will be no payment or gift to respondents to respond.

10. Provisions Regarding Confidentiality of Information

All Petroleum Supply Reporting System survey forms, with the exception of the Form EIA-814, utilize the same general confidentiality statement. Information reported on Form EIA-814 will not be treated as confidential and will be publicly released in identifiable form. In addition to the use of the information by EIA for statistical purposes, the information may be made available, upon request, to other Federal agencies authorized by law to receive such information for any nonstatistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

Excluding the Form EIA-814, the following statement is provided in the survey instructions for each form:

PROVISIONS REGARDING CONFIDENTIALITY OF INFORMATION

The information reported on this form will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

The Federal Energy Administration Act requires the EIA to provide company-specific data to other Federal agencies when requested for official use. The information reported on this form may also be made available, upon request, to another component of the Department of Energy (DOE); to any Committee of Congress, the General Accounting Office, or other Federal agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order. The information may be used for any nonstatistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

Disclosure limitation procedures are not applied to the statistical data published from this survey's information. Thus, there may be some statistics that are based on data from fewer than three respondents, or that are dominated by data from one or two large respondents. In these cases, it may be possible for a knowledgeable person to estimate the information reported by a specific respondent.

Special provisions are made for the Forms EIA-810 through 813, 815 through 817, 819 and 820 which state the following:

Form EIA-810: The data collected on Form EIA-810, "Monthly Refinery Report," is used to report aggregate statistics on and conduct analyses of the operation of U.S. petroleum refineries.

Form EIA-811: The data collected on Form EIA-811, "Monthly Bulk Terminal Report," is used to report aggregate statistics on and conduct analyses of end-of-month stocks of petroleum products at bulk terminal facilities.

Form EIA-812: The data collected on Form EIA-812, "Monthly Product Pipeline Report," is used to report aggregate statistics on and conduct analyses of end-of-month stocks and movements of petroleum products by pipeline.

Form EIA-813: The data collected on Form EIA-813, "Monthly Crude Oil Report," is used to report aggregate statistics on and conduct analyses of end-of-month stocks and movements of crude oil by pipeline.

Form EIA-815: The data collected on Form EIA-815, "Monthly Terminal Blenders Report," is used to report aggregate statistics on and conduct analyses of the motor gasoline blending activity at terminals.

Form EIA-816: The data collected on Form EIA-816, “Monthly Natural Gas Liquids Report,” is used to report aggregate statistics on and conduct analyses of the operation of U.S. natural gas processing plants and fractionators.

Form EIA-817: The data collected on Form EIA-817, “Monthly Tanker and Barge Movement Report,” is used to report aggregate statistics on and conduct analyses of movements of crude oil and petroleum products.

Form EIA-819: The data collected on Form EIA-819, “Monthly Oxygenate Report,” is used to report aggregate statistics on and conduct analyses of the production and ending stocks of oxygenates.

Form EIA-820: Information on operable atmospheric crude oil distillation capacity, downstream charge capacity, and production capacity reported on Form EIA-820 are not considered confidential and will be publicly released in identifiable form. In addition to the use of the information by EIA for statistical purposes, the information may be made available, upon request, to other Federal agencies authorized by law to receive such information for any nonstatistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

For these nine (9) surveys referenced above, the additional sentence below on data sharing is also included:

Company specific data are also provided to other DOE offices for the purpose of examining specific petroleum operations in the context of emergency response planning and actual emergencies.

The data appear in EIA publications such as *Petroleum Supply Monthly (PSM)*, *Monthly Energy Review (MER)*, *Petroleum Supply Annual (PSA)*, and the *Annual Energy Review (AER)*. Company specific data are also provided to other DOE offices for the purpose of examining specific facility operations in the context of emergency response planning and actual emergencies.

The EIA publishes tables in the *PSM* and the *PSA* based on the data submitted on these forms. The tables are not subject to statistical disclosure limitation procedures.

EIA will not collect the information on the PSRS forms under the provisions in the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) at this time. The fact that some information is used for nonstatistical purposes by other Government agencies (e.g., the Strategic Petroleum Reserve) for their official use is the basis for the decision not to collect information from these surveys under CIPSEA.

11. Justification for Sensitive Questions

The forms contain no questions of a sensitive nature.

12. Estimates of Respondent Burden (Hours)

The estimates of respondent burden for the individual forms for 2007 to 2009 contained in this package are listed in the table below. The overall annual respondent burden is estimated to be 73,693 hours for 2007 to 2009.

EIA Form Number/Title	Number of Respondents per Year	Number of Reports Annually	Total Number of Responses per Year	Average Response Rate (percent)	Burden Hours per Response	Annual Burden Hours 2007-2009
EIA-800, Weekly Refinery and Fractionator Report	130	52	6760	96	1.58	10681
EIA-801, Weekly Bulk Terminal Report	88	52	4576	96	0.95	4347
EIA-802, Weekly Product Pipeline Report	44	52	2288	99	0.95	2174
EIA-803, Weekly Crude Oil Stocks Report	56	52	2912	98	0.50	1456
EIA-804, Weekly Imports Report	73	52	3796	96	1.58	5998
EIA-805, Weekly Terminal Blenders Report	232	52	12064	99	0.58	6997
EIA-810, Monthly Refinery Report	181	12	2172	99	4.74	10295
EIA-811, Monthly Bulk Terminal Report	223	12	2676	100	2.21	5914
EIA-812, Monthly Product Pipeline Report	75	12	900	99	2.85	2565
EIA-813, Monthly Crude Oil Report	135	12	1620	99	1.50	2430
EIA-814, Monthly Imports Report	287	12	3444	100	2.53	8713
EIA-815, Monthly Terminal Blenders Report	389	12	4668	100	1.15	5368
EIA-816, Monthly Natural Gas Liquids Report	404	12	4848	99	0.95	4606
EIA-817, Monthly Tanker and Barge Movement Report	38	12	456	99	2.21	1008
EIA-819, Monthly Oxygenate Report	105	12	1260	100	0.63	794
EIA-820, Annual Refinery Report	151	1	151	100	2.30	347
TOTALS	2611	421	54591		27.21	73693

The estimated costs to respondents for the burden hours are estimated to be \$4,200,501 (73,693 hours times \$57 per hour) for 2007 through 2009.

An average cost per hour of \$57 is used because that is the average loaded (salary plus benefits) cost for an EIA employee. EIA assumes that the survey respondent workforce completing

surveys for EIA is comparable with the EIA workforce.

13. Estimates of Costs to Respondents

The EIA estimates that there are no additional costs to respondents associated with the surveys in the Petroleum Supply Reporting System other than the costs associated with the burden hours as set forth in item 12 above.

14. Estimates of Annual Cost to the Government

The annual costs, including personnel, systems development and maintenance, collection, processing, analysis, and publication are estimated to be \$4,285,568.

15. Changes in Burden or Costs to Respondents

There is a decrease to the total respondent burden of 9,596 hours. The decrease in burden is due to the fact that the number of respondents for form EIA-810 (refinery survey) decreased by 229. The decrease was caused by the removal of respondents reporting motor gasoline blending activity at bulk terminals from the EIA-810 to the EIA-815 form. The burden hours per response on the EIA-810 form is four times the burden hours of the EIA-815. Although the EIA-815 respondents have increased by 135 respondents, the decrease in overall burden exists because there are fewer respondents on the higher-burden form EIA-810.

16. Data Collection and Publication

Plans to tabulate and publish data collected by the PSRS survey forms are as follows:

a. Forms 800 through 805

The data reported on Forms EIA-800 through 805 are collected, reviewed, and tabulated by the EIA and used to produce weekly statistics on refinery capacity utilization, refinery inputs of crude oil, and production, stocks, and imports of selected products. The data are collected by telephone, facsimile, Internet using secure file transfer, or PEDRO. The data are published in the *WPSR* and the *TWIP* as well as used as preliminary estimates in the *PSM* and *MER*.

The time schedule for the collection, processing and submission of the final report for publishing is as follows:

Data collection due date- reports must be received by 5:00 p.m. on the Monday following the end of the report period. The weekly report period begins at 7:01 a.m. on Friday and ends at 7:00 a.m. on the following Friday.

Closeout- The file is closed to any data additions or corrections on Tuesday, close of business.

Data processing and analysis- update of edits occurs on Tuesday with a clean edit available by the close of business Tuesday.

Publication- the data are published in the *WPSR* and the *TWIP* every Wednesday for the report period ending on the previous Friday. Data are released electronically through EIA's Internet at 10:30 a.m. on Wednesday for selected tables from the *WPSR* and at 1:00 p.m. on Wednesday for the complete *WPSR* and the *TWIP*.

b. Forms EIA-810 through 817 and 819

The data reported on these EIA survey forms are collected, reviewed, and tabulated by the EIA and used to provide monthly statistics on stocks, production, inputs, receipts, shipments, and imports of crude oil and petroleum products. The data are collected by mail, facsimile, Internet using secure file transfer, or electronic transmission. The data appear in several agency publications. The most prominent are the *PSM*, *PSA*, *MER*, and *AER*. Data from the EIA-819 are published in the *EIA-819 Monthly Oxygenate Report*. The data are also used in other systems such as EIA's State Energy Data System and for DOE short-term forecast models.

The time schedule for the collection, processing, and submission of the final report for publication is as follows:

Data collection due date- reports must be received by the 20th calendar day after the end of the report month.

Closeout- the file is closed to additions and corrections on the first calendar day of the second month following the report month described above.

Publication- the *PSM* is published approximately 52 days after the end of the report month. Tables are released electronically through the Internet between the 23rd and 26th of every month.

e. Form EIA-820

The data reported on this form are collected, reviewed, and tabulated by the EIA and used to provide annual statistics on refinery receipts of crude oil by method of transportation during the preceding year; fuels consumed at the refinery during the preceding year; current year and next year projections for operable atmospheric crude oil distillation capacity, downstream charge capacity, and production capacity; and current year working and shell storage capacity for crude oil and petroleum products at the refinery. The data are collected by mail, Internet using secure file transfer, or facsimile. Data are published in the *Refinery Capacity Report*.

The time schedule for the collection, processing, and submission of the final report for

publication is as follows:

Data collection due date- reports must be received by February 15th following the report year.

Closeout- the file is closed to additions or corrections approximately the middle of April following the report year.

Data processing and analysis- Update of final edits occurs during the first week of April.

Publication- data appears in the *Refinery Capacity Report* and is released electronically on the Internet in June.

17. Display of Expiration Date

The expiration date of OMB approval will be displayed on all the forms.

18. Exceptions to Certification Statement

EIA takes no exception to the certification statement in item 19 of the OMB Form 83-I.